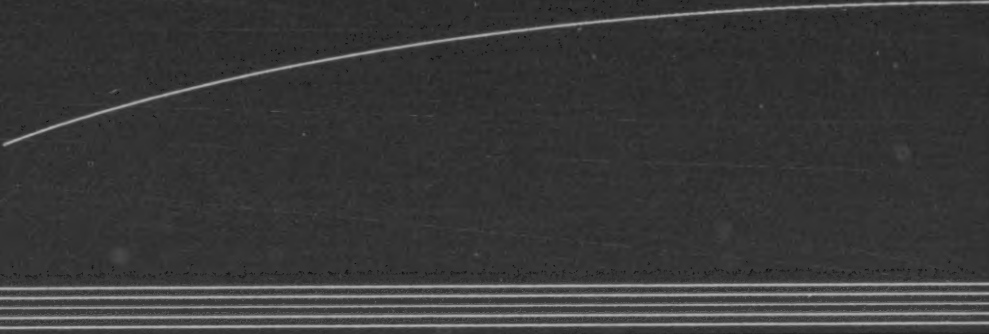




Public Service Commission

2008-2009

Annual Report



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Cat. No. SC1-2009E-PDF
ISBN 978-1-100-13338-6

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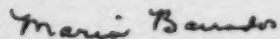
Minister of Canadian Heritage and Official Languages
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister:

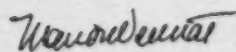
We have the honour of asking you to transmit for tabling in Parliament the Report of the Public Service Commission of Canada for the 2008-2009 fiscal year.

It is submitted in accordance with section 23 of the *Public Service Employment Act*, (S.C. 2003, c. 22, ss. 12 and 13).

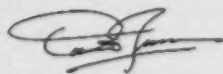
Yours sincerely,



Maria Barrados
President



Manon Vennat
Commissioner



David Zussman
Commissioner

PSC Mission, Vision and Values Statement

Mission and Vision – Striving for excellence

The Public Service Commission is dedicated to building a public service that strives for excellence. We protect merit, non-partisanship, representativeness and the use of both official languages.

We safeguard the integrity of staffing in the public service and the political impartiality of public servants. We develop policies and guidance for public service managers and hold them accountable for their staffing decisions. We conduct audits and investigations to confirm the effectiveness of the staffing system and to make improvements. As an independent agency, we report our results to Parliament.

We recruit talented Canadians to the public service, drawn from across the country. We continually renew our recruitment services to meet the needs of a modern and innovative public service.

Values to guide our actions

In serving Parliament and Canadians, we are guided by and proudly adhere to the following values:

Integrity in our actions;

Fairness in our decisions;

Respect in our relationships; and

Transparency in our communications.

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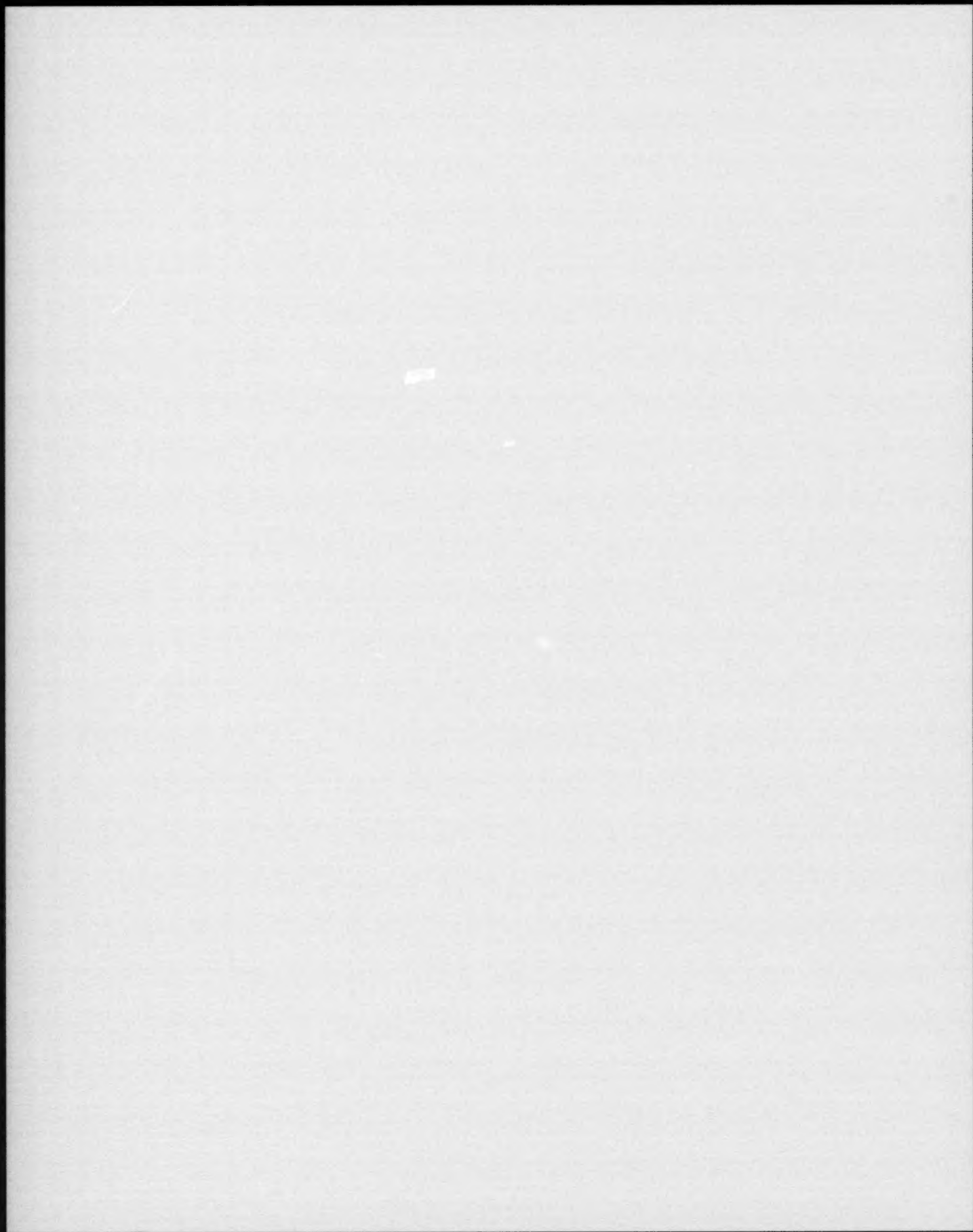
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Chapter 1

Opinion of the Commission



1 Opinion of the Commission

- 1.1 In 2008-2009, the Public Service Commission (PSC) continued to play its unique and essential role of ensuring, on behalf of Parliament, a professional, merit-based, non-partisan public service.
- 1.2 This year was the third full year of operation under the *Public Service Employment Act* (PSEA) which came into force in 2005. Departments and agencies, and the PSC, continued to make progress in implementing the objectives set out in the Act, with significant achievements being made in some areas. However, the PSC is concerned that there are early and important signs that added vigilance is required to ensure that Canadians continue to benefit from a merit-based, non-partisan public service in the years ahead.

Context

- 1.3 The current PSEA introduced changes across the public service to modernize human resources (HR) management. The changes increased the responsibilities of deputy heads to staff their organizations and manage people. They reinforced safeguards to protect the long-standing core public service values of merit and non-partisanship and strengthened the accountability of the institutions and individuals responsible for managing the public service.
- 1.4 Specific elements of the HR management regime underwent fundamental changes. The current Act introduced an explicit definition of merit, the basis upon which appointments are made to and within the public service. The Act is values-based in its orientation. It encourages the PSC to delegate staffing authorities to deputy heads who, in turn, put staffing in the hands of managers. The central objective was to improve the ability of managers to customize staffing processes to address their particular operational needs. At the same time, the Act placed greater emphasis on ensuring effective accountability of deputies to the PSC and, through the PSC, to Parliament.
- 1.5 The Preamble to the Act envisions a public service that, amongst other things, "is characterized by fair, transparent employment practices, respect for employees, effective dialogue, and recourse aimed at resolving appointment issues." Consistent with this, several important changes were made to the recourse regime. "Informal discussion" was introduced for employees participating in internal appointment processes. The Act provides that, where the PSC delegates the authority to make internal appointments to

a deputy head, the authorization must include the power to revoke those appointments and to take corrective action following an investigation by the deputy head. The intent of these changes was, for the most part, that the concerns of employees be addressed in the workplace, with the exception of fraud, political influence or abuse of authority. The Public Service Staffing Tribunal (PSST) was established to hear and decide complaints of abuse of authority in internal appointments, implementation of corrective actions ordered by the Tribunal and layoffs. An employee can also complain to the PSST that a re-education was unreasonable or that there was a failure to assess them in the official language of their choice. The Act places a greater emphasis on oversight for the PSC, through its audit function and refocused investigative powers.

- 1.6 The Act also addresses political activities. Part 7 clarifies the right of employees to engage in political activities while maintaining the principle of political impartiality in the public service. It established a new role for the PSC in reviewing requests from employees to seek nomination as, or to be, a candidate in a municipal election. The PSC may grant permission if it is satisfied that the activity will not impair, or be perceived as impairing, the employee's ability to perform his or her duties in a politically impartial manner.
- 1.7 As has been widely noted by the PSC and others, the full potential of the PSEA could only be realized with significant cultural change. The Act affected deputy heads, who were accountable for exercising increased delegated responsibilities for their staffing operations; managers, who needed to learn how to apply a values-based approach and their new accountability for staffing; HR professionals, who needed to adjust their roles to support managers; and employees, who needed to become familiar with new staffing processes and mechanisms for recourse.
- 1.8 In the third year since implementation, we now have a base of knowledge and experience under the PSEA to better understand the impact of these changes.

Overall strength and integrity of staffing

- 1.9 In 2008-2009, the public service continued to experience growth. As of March 2009, there were 208 947 individuals in organizations for which the PSC has delegated its authority to make appointments to deputy heads, an increase of 4.5% from March 2008.

...we have found that the progress made in realizing the intent of the current PSEA in its first two years of operation has continued and, in some areas, improved.

1.10 Growth, along with retirements and continued strong internal mobility, resulted in persistent high levels of staffing activity this year. Organizations for which the PSC has delegated its authority to make appointments conducted a total of 126 651 staffing activities in 2008-2009.¹ This represents an increase of 3.7% over the previous fiscal year. Of note, the number of new indeterminate hires from outside the public service increased by 20.1%, to 12 705. In addition, of the approximately 9 700 indeterminate employees who left the public service in 2008-2009, most left through retirement. Resignations represented only 1.4% of the indeterminate population.

1.11 High levels of staffing activity reinforce the need for a modernized staffing system, one that is responsive to the needs of organizations and managers and supported by a strong HR community. At the same time, this environment presents many opportunities for employees and Canadians to be engaged in meaningful work in the public service.

1.12 Based on the PSC's various oversight activities in 2008-2009, we have found that the progress made in realizing the intent of the current PSEA in its first two years of operation has continued and, in some areas, improved. Of particular note:

- Overall, the staffing performance of organizations is acceptable, with an improvement of about four percentage points (to 77%) in the number of performance areas reviewed across departments and agencies and assessed as acceptable. Furthermore, we are starting to see examples of strong management performance.
- The number of departments and agencies having acceptable performance regarding integrated HR and business planning jumped 33 percentage points, from 28% in 2007-2008 to 61% in 2008-2009.
- There has also been a significant increase, from 36% in 2007-2008 to 75% in 2008-2009, in organizations assessed as acceptable with respect to organizational HR support systems. Nonetheless, in seven large organizations (representing 40.4% of the PSEA universe), sub-delegated managers indicated that better support was required from their staffing advisors and systems.

At the same time, significant improvements are still required by organizations in the area of managerial accountability for results.

1.13 We have also concluded based on our 2008-2009 oversight activities that the core values of merit and non-partisanship are generally being respected across the public service. However, we are increasingly concerned that the integrity of the appointment system is being undermined by the cumulative impacts

¹ See Chapter 2, A highly delegated staffing system

of organizational practices that do not adequately adhere to a values-based approach respecting the guiding values of fairness, access, transparency and representativeness. We have found individual cases where merit has not been respected, or where there is insufficient evidence to determine whether merit was respected. We have also observed the emergence of new challenges with respect to non-partisanship that require more attention to ensure that Canadians continue to benefit from a merit-based, non-partisan public service in the years ahead.

Issues of concern

- 1.14 **Time to staff** – One of the primary expectations of the PSEA was that staffing would be faster and more efficient. Efficient staffing processes allow the public service to maintain effective operations and program delivery and enable managers to compete more effectively with other prospective employers. Efficient staffing processes also ensure that employees are appointed more quickly and in place to perform the work that is required.
- 1.15 The time it takes to staff positions is an important indicator of the efficiency of the staffing system. When faced with excessive time to staff, work can be delayed or managers may turn to alternate or temporary staffing options, such as casual employees or acting appointments, with the attendant impacts on the core and guiding values of the PSEA. Candidates may also accept offers of employment elsewhere, in another work unit or another organization, or outside the public service.
- 1.16 In 2008-2009, the PSC's analysis of the Survey of Appointments and Survey of Staffing found that, while the average time required to staff indeterminate advertised positions increased following the coming into force of the PSEA in December 2005 from 22.8 weeks to 24.1 weeks, it then decreased to 23.5 weeks as organizations started to adapt to the new staffing regime. Analysis of internal indeterminate advertised staffing processes shows that increased time to staff under the current PSEA is partly due to the increased use of collective staffing, which can often take longer to complete than distinct staffing processes. Additional analysis of time to staff is presented in Chapter 5.
- 1.17 While improvements are being made as experience with the current regime grows, the PSC is concerned that the average time to staff still remains higher than it was prior to the current Act. Other analysis we conducted in 2008-2009 demonstrated that improvements in time to staff can be achieved by up-front investments in HR planning, organizational support (e.g. HR capacity and systems), as well as managerial accountability and monitoring of results. The PSC's Extreme Hiring Makeover pilot, for example, showed

■ ■ ■

...there remains considerable potential for organizations and individual managers to reduce the time required to staff within the existing legislative and policy framework.

■ ■ ■

that managers, and a strong project management approach, can help ensure that efficiencies are achieved along the various steps of the process. Using such an approach for an external process, staffing was completed in 45 calendar days (from advertisement to offers of appointment).

- 1.18 Based on the evidence available, the PSC believes that there remains considerable potential for organizations and individual managers to reduce the time required to staff within the existing legislative and policy framework. Reductions of up to 30% in the time to staff may be possible, depending on the type of process and the size of the organization, and provided managers have the HR support, information and tools they require and adopt a more proactive management approach.
- 1.19 While increased efficiency and reduction in time to staff was a primary expectation of the PSEA, efficiency cannot be gained at the expense of the core and guiding values of the Act. By focusing its efforts on providing innovative approaches and tools for staffing, information to monitor staffing performance and clearer guidance on balancing the values, the PSC will continue to support organizations seeking to become “best performers” when it comes to time to staff.
- 1.20 **Temporary workforce** – In its 2006-2007 Annual Report to Parliament, the PSC raised concerns related to the recruitment of permanent hires via the temporary workforce. In 2008-2009, the PSC observed not only that the trend has persisted, but also that casual employment is increasingly used as a source of permanent hires.
- 1.21 While we recognize the need for temporary workers to meet short-term requirements or to bring in special expertise, casual workers are excluded from all provisions of the PSEA, including merit. In subsequent appointments of casuals to indeterminate positions, these workers have an advantage over other candidates because of the knowledge, experience and exposure they acquired while they were employed as a casual worker. In addition, casuals tend to be drawn from local pools, impacting on the values of access and representativeness.
- 1.22 In 2008-2009, PSC statistics showed that there has been some improvement in the area of indeterminate hires, with the proportion of public servants with no prior experience in the public service increasing from just over 16% in 2000-2001 to 35% in 2008-2009. However, we also observed a new trend: the prior public service employment of new indeterminate hires is increasingly more likely to be in the casual workforce exclusively. Individuals whose prior experience in the public service was as casual workers, and who were never term employees, represented 4% of all new indeterminate hires in 2000-2001. By 2008-2009, this proportion had increased to 15%.

- 1.23 The proportion of new indeterminate hires with prior experience as casual hires in the public service is a concern to the PSC. The advantage of hiring individuals with prior experience in the federal public service needs to be balanced with the guiding values of access, fairness, transparency and representativeness. In 2009-2010, the PSC will be examining this trend and its implications in more depth and determining whether further actions are necessary.
- 1.24 **Use of private firms** – We are also concerned that private firms are being used to hire temporary workers outside the PSEA. If there is an established job, unless it is temporarily vacant, under most circumstances it should be filled pursuant to the PSEA through an appointment made on the basis of merit. In addition, the repeated use of contractors over an extended period can be counter to the guiding values. For example, there are issues associated with the advantages gained by the contract workers for entry into the public service and whether these workers meet the requirements of public servants. Given the use of private firms, in 2009-2010 we will be taking a closer look at temporary help services within the context of the PSEA and adherence to the guiding values.
- 1.25 **Student bridging** – The PSC's October 2008 statistical study on *Appointments under the Public Service Employment Act following participation in federal student employment programs* determined that over one fifth of participants in the Federal Student Work Experience Program (FSWEP) obtained term and indeterminate jobs in the public service. The PSC's *Audit of the Federal Student Work Experience Program and Subsequent Appointments Through Bridging Mechanisms*, released in May 2009, found that, overall, the program is working reasonably well.
- 1.26 However, the audit also found that over one third of the bridging appointment processes reviewed were unsatisfactory in that they did not respect the PSC *Appointment Framework*. Furthermore, audited organizations had not integrated bridging appointments into their HR plans and few of them had monitored selection and appointment decisions to ensure that they respected the PSEA and the guiding values. The audit concluded that more rigour is needed in the documentation supporting bridging decisions in order to ensure that legislative and policy requirements, as well as the staffing values, are respected.
- 1.27 Over the past few years, the number of FSWEP participants hired into the public service has continued to increase, from 9 574 hires in 2006-2007 to 9 932 hires in 2008-2009. With the announcement in the January 2009 Budget of an additional \$20 million over two years for departments and agencies to hire students, this upward trend may continue. Especially if it does, the PSC expects managers to apply greater rigour in demonstrating merit and adherence to the guiding values when making bridging decisions.

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- 1.28 **National area of selection** – The national area of selection (NAOS) policy requirement was designed to increase access to federal public service jobs for people across Canada and for Canadians living abroad. As of December 2008, the PSC finalized its expansion of the use of a NAOS for all positions across the country. All full-time term positions of six months or more and all indeterminate jobs that are advertised external appointment processes are now open to candidates across Canada and to Canadians living abroad, whereas just 19% of such jobs were so in 2004.
- 1.29 The number of applicants in 2008-2009 indicates that more Canadians are taking advantage of the expanded access to jobs. In 2007-2008, 91 996 (38%) of 242 096 applications for jobs in the National Capital Region were from other regions. In 2008-2009, this rose to 88 050 (41%) of 214 756 applications. This rate of increase was typical of other regions except for Saskatchewan, where the number of applications from other regions rose from 7 419 (66%) of 11 242 in 2007-2008 to 16,646 (80%) of 20 808 in 2008-2009.
- 1.30 Preliminary analysis of appointment data suggests that the goal to enhance access to jobs is being met. However, the PSC cannot conclude whether the appointment rate of candidates from other regions is sufficient since there is no benchmark. The PSC will therefore continue to monitor appointment rates and initiate research to better understand the variables that affect it.
- 1.31 **Non-advertised appointment processes** have been assessed by the PSC as a risk area that needs to be more closely monitored by deputy heads to ensure respect for the core and guiding values. The PSC has concerns about the reporting of this information and data quality. The PSC's *Study on the Data Collection of Non-Advertised Appointment Processes* found that accuracy varied greatly among organizations and that both over- and under-reporting was occurring. Coding errors were found in all four organizations selected for the study.
- 1.32 Nevertheless, based on organizational reports to the PSC, we estimate that, in 2008-2009, the percentage of non-advertised processes appears to have decreased from the year before, from 40% to 37%. The PSC's estimates also indicate that 84% of acting appointments of four months or more were made via non-advertised processes. Given that acting appointments provide an advantage for subsequent promotion, there is room for improvement in advertising acting positions and ensuring fair staffing practices.
- 1.33 The PSC's preference is for advertised processes, as they are a better reflection of the guiding values of access and transparency. Non-advertised processes may be justified if they are compliant with organizational criteria and the PSC's policy for choice of appointment process. The PSC requires that there

be documentation with written rationale for using a non-advertised process, demonstrating that the values have been considered. Deputy heads are also required to monitor and report on their use of non-advertised processes. The results of our audits show that organizations are having difficulty meeting these requirements.

- 1.34 **Employment equity** – Representativeness is one of the PSC's guiding values that managers must consider throughout an appointment process. Reliable information to effectively plan and monitor progress in representativeness is also critical. The PSC has developed a new methodology for determining the recruitment rates for Aboriginal peoples, visible minorities and persons with disabilities in externally advertised processes.
- 1.35 In 2008-2009, PSC analysis shows continued progress for three employment equity (EE) groups — Aboriginal peoples, visible minorities and women — whose appointment rates from externally advertised processes are greater than their respective workforce availability (WFA). However, the public service is not sufficiently attracting persons with disabilities to externally advertised positions, and their recruitment rate continues to be lower than their WFA.
- 1.36 For visible minorities, the PSC's latest statistics show that their appointment rates from externally advertised processes have been much better than previously estimated and that the rates have increased steadily, from 15.6% in 2006-2007 to 17.3% in 2007-2008 to 18.8% in 2008-2009. We are still concerned about the rate of "drop-off" from the application to the appointment stages. The PSC's most recent research on EE groups in externally advertised recruitment processes found that the rate of drop-off for visible minorities was four percentage points, based on applicants. This is lower than the rate reported in previous studies. The PSC will work with organizations to understand the contributing factors to this drop-off and remove any barriers in the process.
- 1.37 The new methodology for calculating the rate of EE recruitment is only the beginning of a solution. Given the importance of accurate and reliable statistical data on EE groups, the PSC is working with stakeholders to achieve one common methodology for measuring and reporting on representativeness in appointments and in the public service population. The methodology will comply with both the *Employment Equity Act* and the *Privacy Act* in addition to the PSEA.

...the public service is not sufficiently attracting persons with disabilities to externally advertised positions, and their recruitment rate continues to be lower than their workforce availability (WFA).

Continuous improvement of Public Service Commission functions

- 1.38 Implementing the PSEA continues to be a work in progress in departments and agencies, as it is in the PSC. In a highly delegated and decentralized model, the PSC's mechanisms for oversight and accountability as well as its policy framework, guidance and support have to be clarified, refined and adjusted on an ongoing basis, in collaboration with key players.
- 1.39 **Funding** – In January, the government announced the results of the Horizontal Strategic Review of Human Resources Management as part of Budget 2009. The PSC participated in this review, along with the Treasury Board of Canada Secretariat, the Canada Public Service Agency, the Canada School of Public Service, the PSST and the Public Service Labour Relations Board. As a result of the review, the PSC's annual budget was reduced by \$3.1 million in 2009-2010 and by a further \$1.5 million in 2011-2012, for a total permanent reduction of \$4.6 million. The PSC believes that this 5% cut is manageable with increased cost-recovery authorities.
- 1.40 **Oversight** – Following the Horizontal Strategic Review of Human Resources, the PSC mandated an Independent Review Committee (the Committee) to determine the appropriateness of the approach and the level of effort of the PSC oversight and to identify areas for improvement.
- 1.41 The Committee concluded that the PSC's approach to oversight was appropriate, but that some calibration was required in the quality and amount of monitoring. In its review, the Committee found that there was a need to develop capacity across the PSC's monitoring and audit activities. It also concluded that simply enhancing PSC oversight, in isolation, would not be enough. It noted that full implementation of the PSEA would require renewed engagement and a concerted "team effort," including deputy heads, managers, HR specialists and bargaining agents.
- 1.42 In particular, the Committee underscored the importance of effective communication channels with employees and bargaining agents for ensuring effective oversight. The PSC is committed to revitalizing its regular meetings with bargaining agents to discuss and consult on the effectiveness of the staffing system through the Public Service Commission Advisory Council.
- 1.43 The Committee made a total of 18 recommendations in its January 2009 report. The PSC has accepted all of them, and an action plan has been put in place to address them over the next two years.

In its review, the Committee found that there was a need to develop capacity across the PSC's monitoring and audit activities.

- 1.44 **Investigations** are an important oversight tool to help safeguard the integrity of the staffing system and the non-partisanship of the federal public service. The PSC has the authority to investigate certain appointment processes. Deputy heads are delegated the authority to make internal appointments, to revoke internal appointments and to take corrective action whenever the deputy head, after an investigation, is satisfied that an error, an omission or improper conduct affected the selection of a person for appointment. In the last fiscal year, only nine investigations by deputy heads were reported to the PSC, six of them founded.
- 1.45 The PSC is concerned that deputy heads may not be using their authority as expected. If it is determined that problems exist within an internal appointment process and that no action was taken by the department or agency to examine the problems, the PSC can and will conduct an audit under section 17 of the PSEA. In 2008-2009, the PSC provided information to delegated organizations and bargaining agents in order to explain this new approach. These efforts will continue in 2009-2010.
- 1.46 **Appointment Policy** – To ensure a values-based, harmonized suite of policies respecting the spirit of the legislation and supporting a well-functioning delegated appointment model, the PSC has begun a review of its *Appointment Policy*. The review focuses on identifying issues and determining whether statutory or policy solutions are required; policies and policy support tools are consistent with PSEA requirements and with staffing values; and policy guidance is concise and clear. The policy review will be completed in December 2009.
- 1.47 **Political Candidacy** – In 2008-2009, the PSC received 54 new requests for permission to seek nomination as, or to be, a candidate in an election. This represents a 20% increase from last year, when 45 new requests were received. Municipal election requests once again represented the majority of new candidacy requests (41 of 54, or 76%) received from employees during the fiscal year. Of the 36 employees granted permission to be candidates in municipal elections in 2008-2009, only 2 (6%) were on condition of a leave of absence without pay, if elected.
- 1.48 In light of the experience gained in the last three years, the PSC has undertaken to streamline its approach to approving municipal candidacy requests. It is expected that this streamlining will facilitate the timely review of candidacy requests, while ensuring that the PSC fulfills its mandate to safeguard a politically impartial public service.

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*It is...time for
the PSC to reflect
on the expectations,
progress and factors
affecting full
implementation and
on whether the
Act's objectives are
being reached.*

- 1.49 **Staffing and Assessment Services** – Given our statutory mandate, the PSC continues to support organizations in their delegated appointment authorities. In order to do so, it is essential to maintain a core group of centralized services providing automated tools, systems and services that support collective needs, such as post-secondary recruitment and student programs. This approach offers economies of scale across the public service and allows the PSC to implement innovative and leading practices in staffing in order to meet the current and future resourcing needs of the public service. PSC services are increasingly provided on a cost-recovery basis.

Looking forward: preparing for the five-year review

- 1.50 The PSEA includes a requirement that the Act and its administration be reviewed five years after it comes into force. This five-year period will elapse on December 31, 2010. It is therefore time for the PSC to reflect on the expectations, progress and factors affecting full implementation and on whether the Act's objectives are being reached. It is also time to ask what improvements are required to ensure a modernized, values-based HR management system in the future.
- 1.51 In preparation for the five-year review, the PSC will be taking stock of the implementation of the PSEA: whether the Act has been implemented as intended and whether it adequately equips the PSC and others to protect merit and non-partisanship in the years ahead. In addition to the oversight review completed in 2008-2009, the PSC is undertaking a comprehensive assessment of its other roles and responsibilities, the PSC Appointment Policy Framework and the effectiveness of the PSC's service delivery model, as well as supporting research and analysis. This work is expected to be completed by December 2010 and will culminate in a special report to Parliament. The special report will include recommendations for possible amendments to the PSEA and, as one of the PSC's contributions to the five-year review, will help shape future directions for HR management in the public service. The PSC has singled out three issues for detailed analysis: merit, non-partisanship and recourse.
- 1.52 **Merit** – Merit has been the foundation of a competent, professional, non-partisan public service for more than a century. It plays an essential role not only in protecting against political patronage, but also in ensuring that employees are hired and can advance based on their ability to do the work rather than on personal favouritism.
- 1.53 The merit system, however, is comprised of more than the definition of merit alone. It is the inter-connected collection of institutions, laws, regulations, policies, accountabilities, processes, practices and procedures that govern appointment decisions.

- 1.54 Some elements of the system are prescribed in the PSEA and its regulations. Some are found in the *Canadian Charter of Rights and Freedoms*, other important federal legislation and related jurisprudence. Another critical element is the PSC's Appointment Policy Framework, which sets out the requirement that key decision points in the appointment process must be guided by the values of access, fairness, transparency and representativeness. The merit-based system also assigns roles and responsibilities for revoking appointments and taking corrective action, following investigations into allegations of an error, omission or improper conduct, or that merit was not respected, as well as complaints of abuse of authority.
- 1.55 In safeguarding merit, the PSC must be concerned with the integrity of individual appointments, as well as the integrity of the staffing system overall. As noted earlier, the PSC has concluded that merit is generally being respected in appointments across the public service. However, the Public Service Employee Survey conducted in 2008-2009 raises some concerns. For instance, the Survey found that 24% of respondents in PSEA organizations who provided an opinion did not agree that in their work unit they "hire people who can do the job"; and 35% did not agree that when they were a candidate in competitions during the previous three years "competitions were run in a fair manner." The PSC will be examining these and other employee perceptions related to merit identified in the Survey and their implications in more detail in the year ahead.
- 1.56 While individual staffing decisions may be appropriate, the cumulative effect of many decisions may still not ensure the integrity of the staffing system overall. The PSC has found signs in 2008-2009 that the new definition of merit in the PSEA, which provides more discretion to managers, requires — at both the individual and system levels — a more sophisticated approach to applying the core and guiding values and weighting the values in different circumstances. Experience with implementation of the new definition of merit may also suggest refinements in performance measurement. The PSC will be examining these issues further over the coming year.
- 1.57 **Safeguarding non-partisanship** — A non-partisan public service is essential for both a professional public service and responsible democratic government. A non-partisan public service provides Ministers with objective policy advice; administers programs and services in a politically impartial way; and provides a measure of stability and ensures peaceful and orderly political successions, maintaining stable operations and uninterrupted services for citizens.
- 1.58 Traditionally, efforts to achieve a non-partisan public service at the federal level in Canada have centered on ensuring that appointments to the public service are merit-based and free of political influence, as well as imposing restrictions on the political activities of public servants upon appointment. A number of developments over the past 30 years are putting this approach

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Today, the safeguarding of the non-partisan character of the public service is taking place in the context of the baby-boomers retiring and tens of thousands of new recruits entering the public service for the first time.

to the test. The adoption of the *Canadian Charter of Rights and Freedoms* in 1982 and the subsequent decision by the Supreme Court of Canada (Osborne, 1991) confirming the right of public servants to engage in political activities have fundamentally changed the landscape for safeguarding the non-partisan character of the public service. They underscore that the central challenge is to balance the rights of individuals with the constitutional convention of the political neutrality of the public service.

- 1.59 The current PSEA struck a particular balance. The legislation reconfirmed, in its Preamble, that non-partisanship is a core value of the public service that must be independently safeguarded for the benefit of Canadians. In addition, Part 7 of the Act established an enhanced regime for political activities at the federal, provincial, territorial and municipal levels. Part 7 explicitly recognizes the right of an employee to engage in political activity so long as it does not impair, or is not perceived as impairing, the employee's ability to perform his or her duties in a politically impartial manner.
- 1.60 Today, the safeguarding of the non-partisan character of the public service is taking place in the context of the baby-boomers retiring and tens of thousands of new recruits entering the public service for the first time. It is clear from numerous studies by the Public Policy Forum and others that these new recruits bring with them greater social and cultural diversity and different attitudes about work, careers and Canada's institutions — and, in many cases, less familiarity with what it means to be a public servant in a professional, non-partisan public service.
- 1.61 Ensuring that these new recruits understand their roles and responsibilities with respect to non-partisanship must be a key element of renewal efforts across the public service in the years ahead. Those retiring play an important role in transferring the required knowledge. In addition, it must be recognized that, compared to the influx of new recruits in the 1970s, this generation of new recruits is arriving to a different regime regulating political activities and a highly decentralized staffing system in which hiring managers have greater discretion to make values-based decisions.
- 1.62 Technology is also having an impact. New means of communication, such as social networking Web sites like Twitter and Facebook, as well as blogs, are helping to blur the lines between the public and private lives of public servants and make it easier to express opinions that could potentially undermine the political neutrality of the public service. They have created new avenues for, and visibility of, political activities. Technology such as the internet and satellite television also plays a part in providing Canadians with more opportunities to learn about behaviour in other jurisdictions, both domestic and international.

- 1.63 Non-partisanship is one of the professional values of the public service. Its relationship to other important professional values, such as neutrality, impartiality, duty of loyalty and responsiveness, is complex and uncharted. The PSEA itself recognizes that non-partisanship competes on a daily basis with other values, such as efficiency, effectiveness and responsiveness, in staffing as well as policy and decision-making across the public service. As the Task Force on Public Service Values and Ethics stated in 2000, "Even our most cherished values are regularly in tension, and we are constantly having to make trade-offs between them."²
- 1.64 The Act, however, does not cover all activities that could be perceived as inappropriate with respect to non-partisanship, as they do not fall within the definition of political activities in the Act, nor does it cover the broader public service. In some cases, involvement in outside causes or advocacy activities may pose real or perceived risks to the integrity of the public service. Activities not defined in the PSEA are subject to the *Values and Ethics Code for the Public Service* or to the respective codes of conduct of organizations for which the Treasury Board of Canada is not the employer. The *Public Servants Disclosure Protection Act* requires that the Employer (Treasury Board) establish a new *Federal Public Sector Code of Conduct*. This new Code will replace the existing *Values and Ethics Code for the Public Service* and will apply to the entire federal public sector, including Crown corporations. The result is potential conflicts, gaps and uncertainties in the overall approach for safeguarding non-partisanship, the scope of its application and access to practical guidance on how to reconcile competing values.
- 1.65 The PSC is overseeing a highly delegated system in which managers have more discretion to make values-based decisions and in which public servants have the right to engage in political activities. Both aspects are highly dependent on the judgment, responsibility and accountability of individuals. Values and ethics play an increasingly important role in guiding the actions of public servants. In 2008-2009, we started to see more complex cases that, while individually appropriate, may undermine the overall perception of the integrity of the public service. We believe that more attention is required to the way in which these values are applied.
- 1.66 Together, these developments and the increasingly complex situations that the PSC has reviewed or advised on in 2008-2009 point to the need for a significant reconsideration of what a non-partisan public service should look like in the coming decades, what behaviour is expected and how it should be fostered and what the appropriate balance is between individual and collective interests. The PSC is committed to playing a key role in the reconsideration that is required. It will do this in the following ways:

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² Canada. Task Force on Public Service Values and Ethics. *A Strong Foundation*, (2000), p. 2.

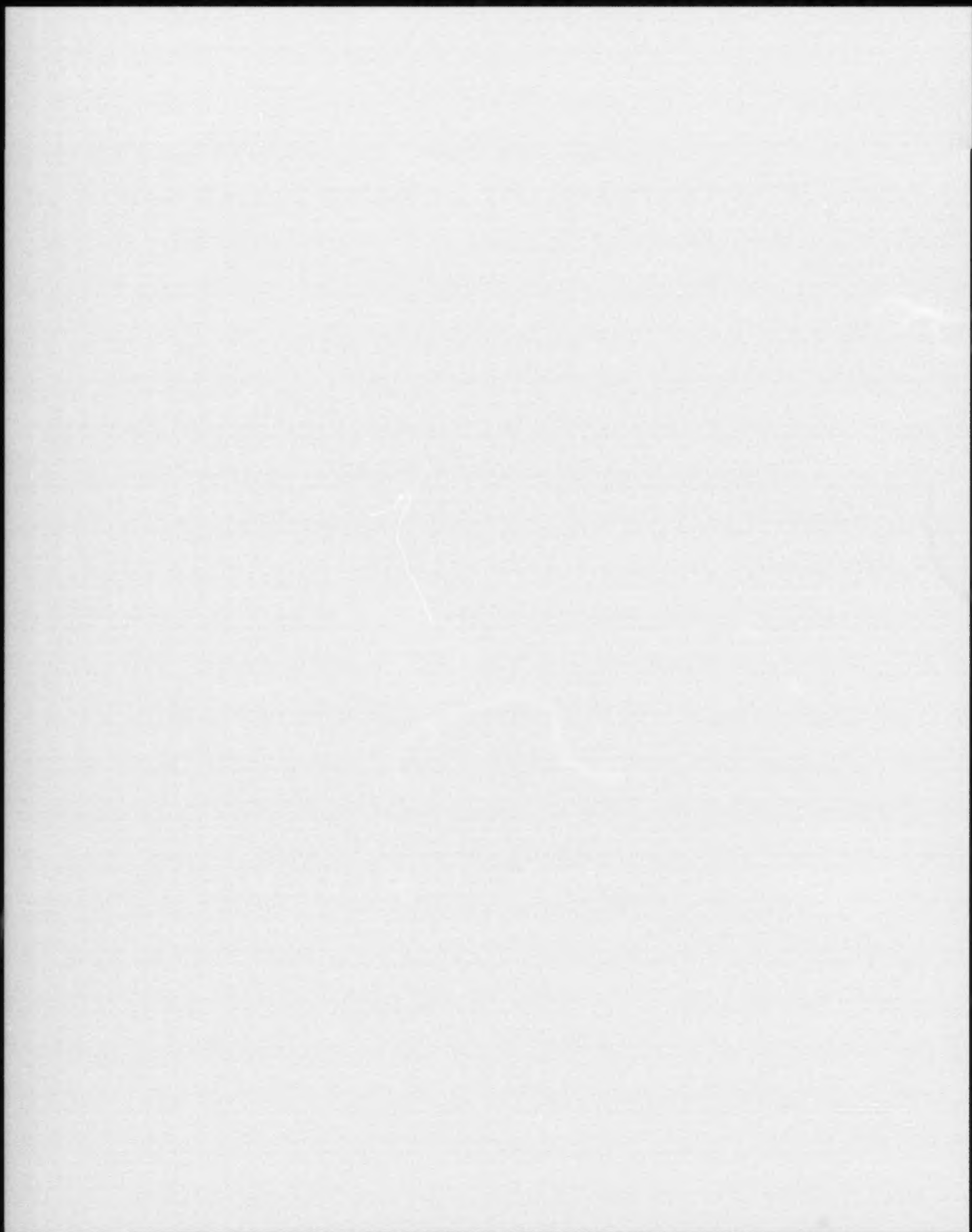
- Providing input to the Chief Human Resources Officer on the development and implementation of the new *Federal Public Sector Code of Conduct*;
- Undertaking further communication to help public servants understand their rights and limitations under Part 7 of the PSEA, ensuring that links to the Code and to other instruments are as clear as possible;
- Fostering broader dialogue with key players on non-partisanship and the public service in the 21st century; and
- Examining whether there is a need for new and/or improved approaches and mechanisms to further safeguard non-partisanship in the future.

- 1.67 **Recourse** – The PSEA sought to change the way in which staffing was conducted and appointments made, through increasing openness, transparency and efficiency. Among the many means by which to achieve these objectives was a more efficient and effective recourse system, through which managers were to be more clearly answerable for their staffing decisions. Several mechanisms were introduced in this regard.
- 1.68 Previously, the PSC was mandated to establish boards to hear all appeals related to staffing issues. The current Act divides the responsibility for addressing staffing concerns among the PSC, deputy heads and the PSST. Pursuant to the PSEA, the PSC can investigate staffing situations relating to external appointments; internal appointments (if not delegated to an organization or at the request of deputy heads); appointments involving possible political influence; and appointment processes where fraud is suspected.
- 1.69 The current PSEA introduced informal discussion to allow employees to raise issues related to their results at the time that the decision is made to eliminate them from an internal appointment process; managers can also correct any errors, omissions or oversights in a more timely fashion before appointments are made. If, following informal discussion, the employee remains concerned about the staffing process, they can make a complaint to the PSST. The expectation was that only the most egregious situations would need to go to the PSST.
- 1.70 Under the current PSEA, employees can pursue complaints through the PSST on a number of grounds. An employee can complain to the PSST that a revocation was unreasonable, or that there was a failure to assess them in the official language of their choice. An employee can bring a complaint of abuse of authority in respect of a layoff; the exercise of the authority to make an appointment on the basis of merit; the choice between an advertised and non-advertised process; and an appointment made or proposed as a result of the implementation of corrective action ordered by the Tribunal.

The PSST may also consider whether there has been discrimination in determining an abuse of authority. It also promotes the use of alternative dispute resolution mechanisms.

- 1.71 Although the intent of the Act is to streamline the formal complaints process and to see most employees' concerns addressed in the workplace, the PSC is concerned that the various responsibilities of deputy heads, the PSST and the PSC are not clearly understood by those participating in appointment processes.
- 1.72 The PSC is particularly concerned with the lack of clarity surrounding the proper role of the PSST. Following the judicial review of a recent PSST decision filed by the PSC and the deputy head (*Attorney General of Canada v. Cameron and Maheux*), the Federal Court found that the corrective actions ordered by the PSST in this case were beyond the Tribunal's jurisdiction. In the months ahead, it will be critical to ensure that the roles of the PSST and of the deputy heads are well understood by stakeholders in order to minimize the confusion regarding mandates and the various mechanisms to address staffing concerns.
- 1.73 **A public service for the 21st century** – In February 2009, the Prime Minister announced changes to HR governance to better deliver policies and services and more effective HR management. There was an important reconfirmation of the PSC's role as guardian of merit and non-partisanship in the Public Service of Canada.
- 1.74 In the preparations for the five-year review, we will be examining how the PSC carries out its functions, where it can make further improvements and how it can best serve the public service and Canadians in the future. The PSC will be consulting with Parliament, central agencies, departments and agencies, bargaining agents, academics and the Canadian public to ensure that their views are considered.
- 1.75 An important consideration for the future is the governance of the PSC itself. As such, it is time to consider succession planning for the current Commission. The PSC will also be considering whether it, as currently structured with a President and two part-time Commissioners, is appropriately empowered to fulfill its responsibilities for the future.
- 1.76 A dynamic and strong public service is more important than ever. Safeguarding the values of merit and non-partisanship will provide the foundation necessary for maintaining a public service that strives for excellence in the years ahead and for addressing new challenges. To support deputy heads with their delegated appointment authorities and to seek to ensure a professional, merit-based, non-partisan public service — these are the ongoing commitments of the PSC to Parliament.

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Chapter 2

A highly delegated
staffing system



2 A highly delegated staffing system

- 2.1 Prior to the implementation of the *Public Service Employment Act* (PSEA) in December 2005, the Public Service Commission (PSC) had already delegated much of its appointment authority for internal staffing to deputy/agency heads. The PSEA encouraged the PSC to go even further. The Preamble to the Act states that delegation of staffing authority should be given to the lowest level possible within the public service.
- 2.2 In line with the spirit of the PSEA, in 2005 the PSC maximized the delegation of its appointment and appointment-related authorities to deputy heads. The major changes of the PSEA were related to the delegation of authority for executive staffing as well as external recruitment.
- 2.3 The formal document by which the PSC delegates its authorities to deputy heads is the Appointment Delegation and Accountability Instrument (ADAI). The ADAI identifies the authorities, any conditions related to the delegation and sub-delegation of these authorities and the way in which deputy heads will be held accountable for exercising them.

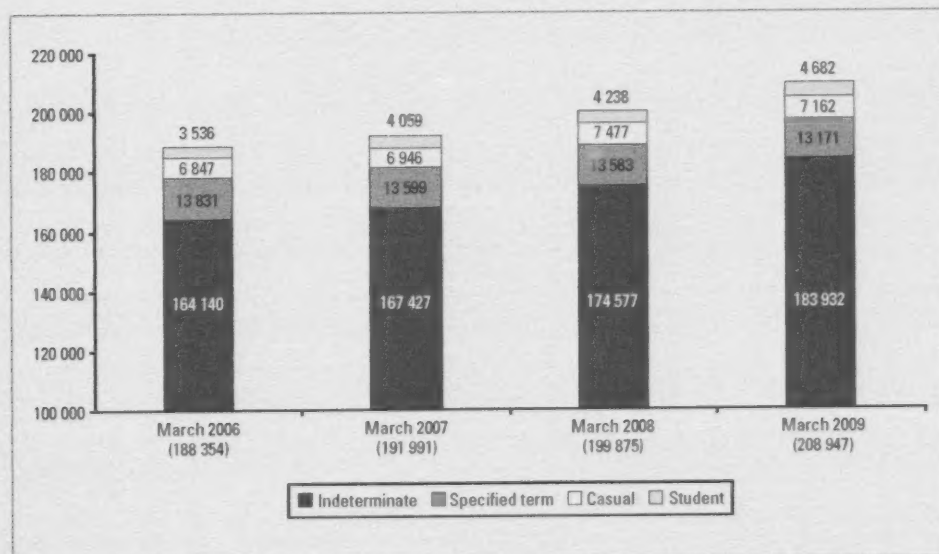
Employees under the *Public Service Employment Act*

- 2.4 On March 31, 2009, there were 82 ADAIs in effect between the PSC and deputy heads. The organizations covered by the ADAIs represented a total of 208 947 individuals, including 183 932 in indeterminate positions, 13 171 in specified period (term) positions, 7 162 casual workers and 4 682 students. This represented a growth of 4.5% over the previous year.
- 2.5 Compared to March 31, 2008, the number of indeterminate employees and the number of students increased by 5.3% and 10.4%, respectively. The number of specified period (term) employees and casual workers decreased by 3.0% and 4.2%, respectively. As of the end of March 2009, the number of casual workers has decreased for the first time in four years.
- 2.6 It should be noted that the number of employees covered by the ADAIs includes only those employees in organizations for which the PSC has the exclusive authority to make appointments. As of March 31, 2009, approximately 50 000 additional employees were subject to Part 7 of the PSEA, which means that the PSC oversees their political activities but does not have the authority to make appointments. Part 7 of the PSEA applies to deputy heads and chief executive officers of other public service organizations whose enabling legislation provides that the PSEA applies to them, and to separate agencies whose enabling legislation provides that the political

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activities provisions of the PSEA apply to their employees. This includes the Canadian Institutes of Health Research; Financial Transactions and Reports Analysis Centre of Canada; the Canada Revenue Agency; the Parks Canada Agency; the National Film Board of Canada; and the Public Service Staffing Tribunal.

Figure 1 – Public Service Employment Act population by tenure and year



Source: PSC population files

- 2.7 Notable growth occurred in the Canada Border Services Agency, Correctional Service Canada, Environment Canada, Health Canada and National Defence (public service employees), contributing close to 60% of the population increase over the last year. Please see Table 40 in Appendix 7 for a detailed listing of population changes by organization from March 2008 to March 2009.

Overall public service hiring and staffing activities

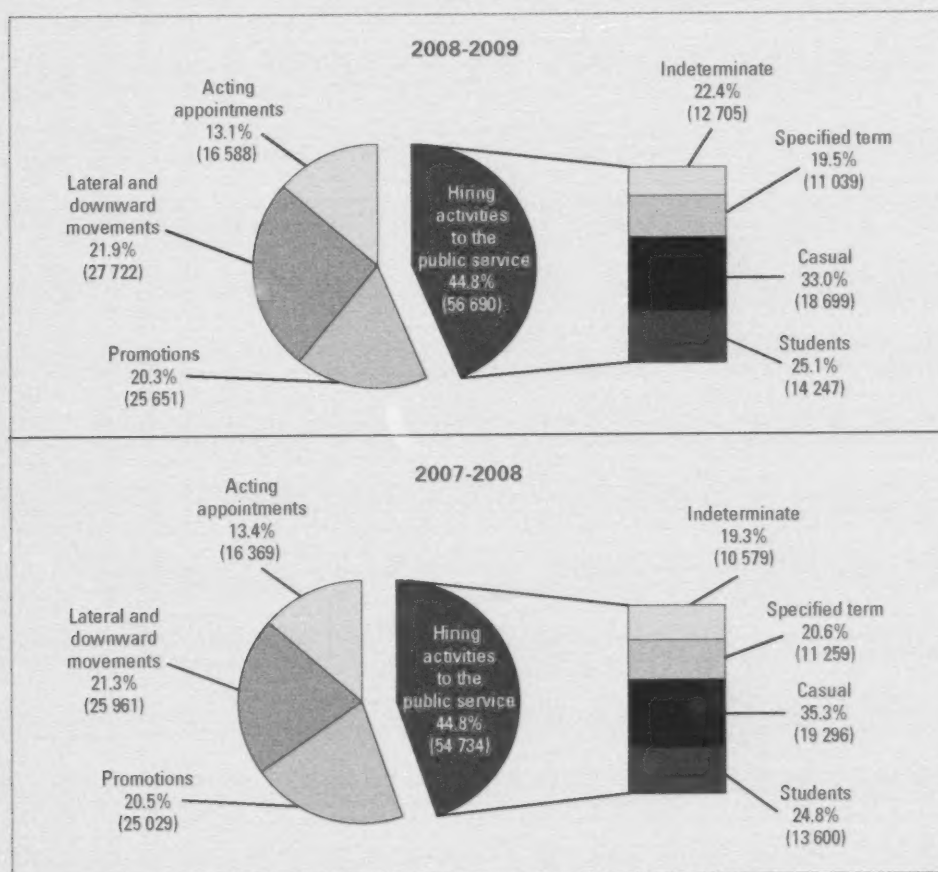
- 2.8 As the public service continues to experience growth, coupled with the retirement of the “baby boomers,” the level of staffing activity in the public service continues to increase. This impacts the demands on managers and the human resources community as well as opportunities for Canadians and employees.
- 2.9 Organizations under the PSEA conducted 126 651 staffing activities in 2008-2009, an increase of 3.7% over the previous fiscal year. Of these staffing activities, 93 705 were appointments *to* or movement *within* the public service (78 561 indeterminate and 15 144 specified period appointments). In addition to these appointments, 18 699 casual hires and 14 247 student hires were made in 2008-2009.
- 2.10 Increases in staffing activity were seen within the public service as well as in hiring from outside the public service. Hiring activity to the public service totalled 56 690 during 2008-2009, an increase of 3.6% from the previous fiscal year.
- 2.11 The number of new indeterminate hires from outside the public service increased to 12 705 appointments from 10 579 (an increase of 20.1%) and represented 22.4% of all new hires. While the number of student hires increased to 14 247 from 13 600 (4.8%) from the previous year, the number of appointments to term positions and casuals decreased slightly (2.0% and 3.1% respectively).



Increases in staffing activity were seen within the public service as well as in hiring from outside the public service.



Figure 2 – Overall public service hiring and staffing activities*



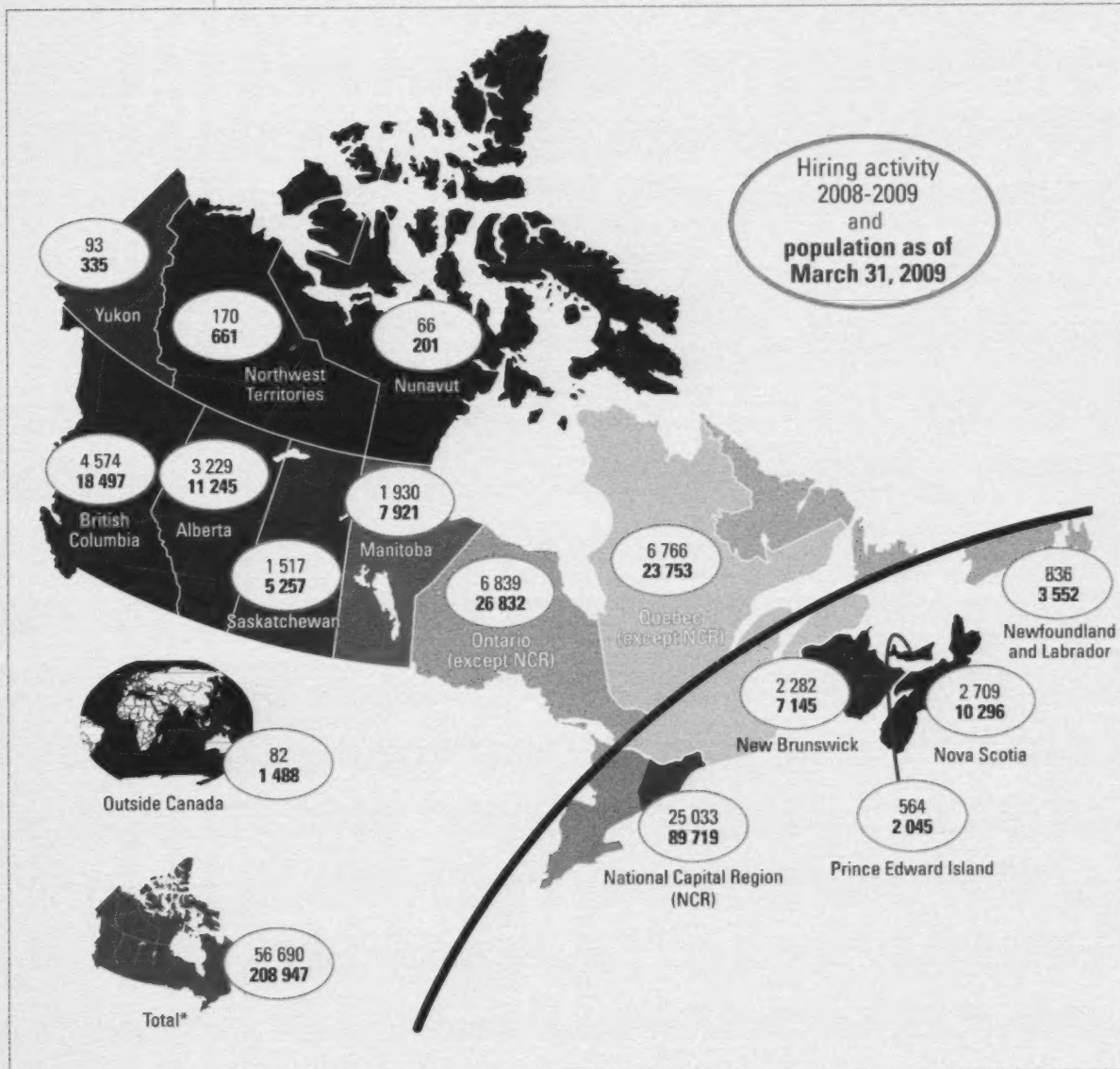
Source: PSC hiring and staffing activities files

*Please see technical notes, Table 31 within Appendix 7.

Hiring activity to the public service by geographic area

2.12 Figure 3 shows the distribution of hiring activity and population figures by geographic area. In 2008-2009, approximately 68% of all hiring activity was in the National Capital Region (NCR), Ontario and Quebec, which is equivalent to the proportion of public service employees in these three areas. In more than half of the provinces, there was an increase in the number of hires compared to the previous fiscal year. The number of employees also increased in most areas.

Figure 3 – Hiring activity to the public service for fiscal year 2008-2009, compared to the number of employees as of March 31, 2009, by geographic area*

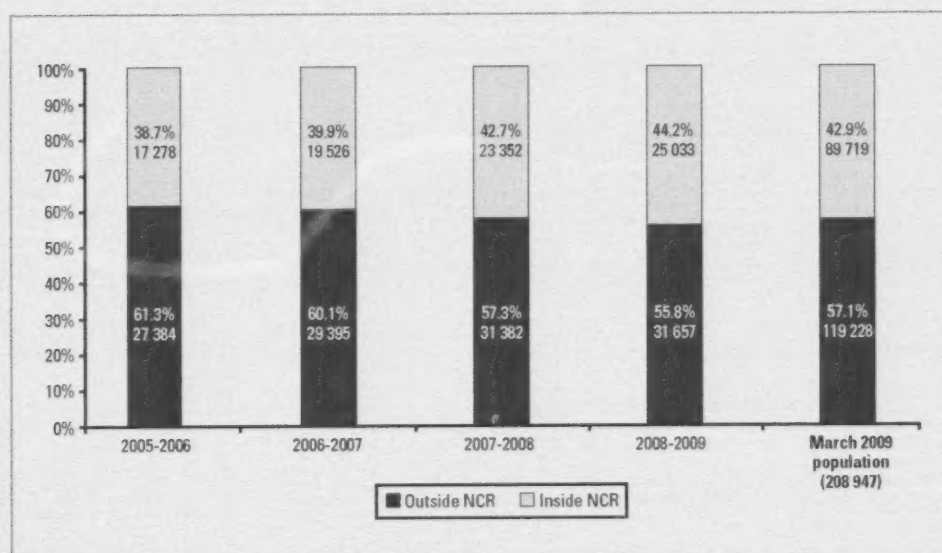


Source: PSC hiring and staffing activities files and population files

* Totals include indeterminate, specified term, casual and student hiring activity to the public service and population.

- 2.13 Hiring activity *within* and *outside* the National Capital Region, compared to the number of employees under the Act as of March 2009 – Hiring activity inside the NCR as a proportion of all hiring activity has increased slightly since 2005-2006. Figure 4 shows that the proportion of hiring activity (indeterminate, specified term, casual and students) in 2008-2009 now exceeds the proportion of public service employees in the region as of March 31, 2009 (44.2% compared to 42.9%).

Figure 4 – Hiring activity *within* and *outside* the National Capital Region, compared to the number of employees as of March 31, 2009



Source: PSC hiring and staffing activities files and population files

Note: Totals include indeterminate, specified term, casual and student hiring activity to the public service.

- 2.14 The majority (64%) of indeterminate and term appointments to the public service under the PSEA were in two occupational categories: Administrative and Foreign Service (8 439) and Administrative Support (6 652). Within these two categories, three groups accounted for over 50% of the appointments to the public service: Clerical and Regulatory (6 582), Programme Administration (3 007) and Administrative Services (2 336).
- 2.15 Of the indeterminate and term appointees to the public service, 70% listed English as their first official language while 30% listed French. Women outnumbered men, accounting for 57% of these appointments. The average age of these appointees was 36.

Executive Group

2.16 As of March 31, 2009, 4 716 individuals occupied indeterminate or specified term positions in the Executive Group (EX-1 to EX-5) in organizations under the PSEA, an increase of 8.2% (359) from March 2008.

- Of the 5 levels in the EX Group, the EX-5 level had the highest rate of increase over the previous year, from 78 to 96 employees (or 23.1%). This increase was due to the staffing of previously vacant positions. The number of individuals at the EX-4 level dropped by three persons (or -1.5%) over the same period. The EX-1 level had grown by 282 (or 12.4%) since March 2008.

Table 1 – Number of employees in the Executive Group in *Public Service Employment Act* organizations by level and fiscal year

Level	March 2006	March 2007	March 2008	March 2009
EX-1	1 999	2 144	2 278	2 560
EX-2	920	996	1 072	1 082
EX-3	733	728	734	786
EX-4	177	172	195	192
EX-5	81	81	78	96
TOTAL	3 910	4 121	4 357	4 716

Source: PSC population files

Note: Totals include indeterminate and specified term positions only.

2.17 **Staffing activities to and within the Executive Group by fiscal year and level** – The total number of staffing activities in the EX Group in organizations under the PSEA rose steadily over the last four years, from 2 038 in 2005-2006 to 2 490 in 2008-2009. This figure includes appointments to the public service, promotions, lateral and downward movements (including deployments) and acting appointments of four months or more. These activities represented an increase of 6.2% over the previous year.

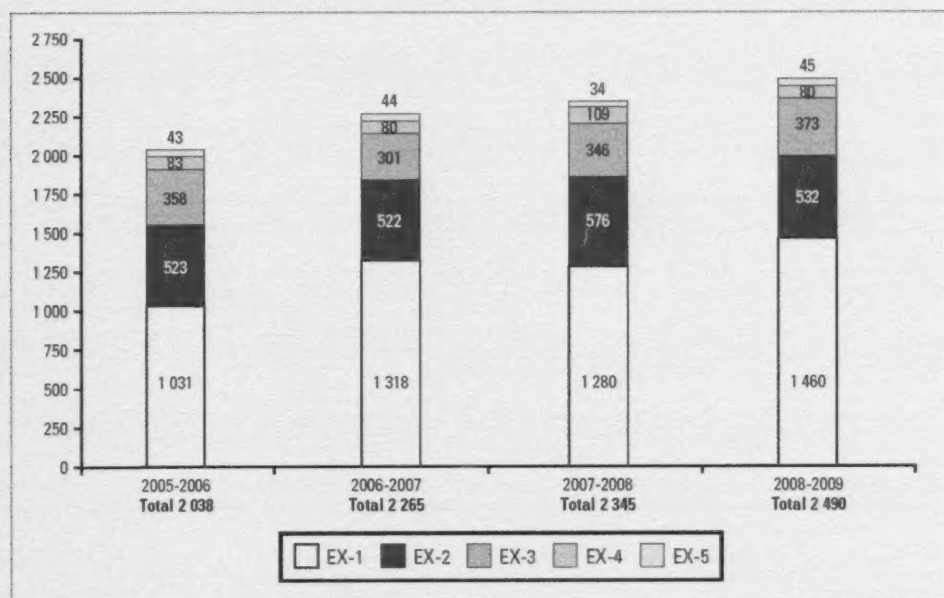
- In 2008-2009, almost 59% of the staffing activities within the EX Group were concentrated at the EX-1 level, a rate slightly higher than any of the last four years, when the percentage ranged from 50.6% to 58.2%.
- The number of staffing activities at the EX-5 level increased 32.4% from the previous year, from 34 in 2007-2008 to 45 in 2008-2009.
- Of the 2 490 EX appointments, 116 were appointments to the public service from the general public, casual employment or federal agencies not under the PSEA.

■ ■ ■

The total number of staffing activities in the EX Group in organizations under the PSEA rose steadily over the last four years....

■ ■ ■

Figure 5 – Staffing activities *to* and *within* the Executive Group by fiscal year and level



Source: PSC hiring and staffing activities files

2.18 In 2008-2009, there were 662 EX acting appointments (of four months or more) in organizations under the PSEA. This is a decrease of 16.2% over the previous year. The number of promotions within the EX Group increased by 187 in 2008-2009, or 19.7% over the previous year.

Table 2 – Staffing activities *to* and *within* the Executive Group by fiscal year and type of activity

Activity	2005-2006	2006-2007	2007-2008	2008-2009	% change (over last year)
TOTAL	2 038	2 265	2 345	2 490	6.2%
Appointments to the public service	63	89	109	116	6.4%
Promotions	677	856	950	1 137	19.7%
Lateral and downward movements ¹	544	553	496	575	15.9%
Acting appointments	754 ²	767	790	662	-16.2%

Source: PSC hiring and staffing activities files

¹ Lateral and downward movements include deployments. As the type of appointment process is not captured by the pay system, it is not possible to differentiate between lateral and downward appointments and deployments.

² This number has been adjusted since it was first reported as 752 in the 2005-2006 Annual Report.

■ ■ ■

The steady increase in the percentage of bilingual imperative appointments made over the last four years is a continued result of the Treasury Board of Canada Secretariat's Directive on the Staffing of Bilingual Positions....

■ ■ ■

- 2.19 In 2008-2009, 1 926 of the 2 490 appointments to and within the EX Group (77.3%) in organizations under the PSEA were "bilingual imperative" processes. Processes identified as bilingual imperative mean that appointees must meet the language requirements of the position when the offer is made.
- 2.20 The steady increase in the percentage of bilingual imperative appointments made over the last four years is a continued result of the Treasury Board of Canada Secretariat's *Directive on the Staffing of Bilingual Positions*, which came into effect in April 2004.
- 2.21 Among all five levels of the EX Group, the EX-4 level had the highest percentage of bilingual imperative appointments, with 69 appointments (or 86.2%) being staffed as bilingual imperative.

Table 3 – Number and percentage of bilingual imperative appointments *to* and *within* the Executive Group, by level and fiscal year

	2005-2006		2006-2007		2007-2008		2008-2009	
	No.	%*	No.	%*	No.	%*	No.	%*
EX-1	674	65.4	865	65.6	880	68.8	1 092	74.8
EX-2	338	64.6	363	69.5	418	72.6	408	76.7
EX-3	284	79.3	240	79.5	245	70.8	319	85.5
EX-4	60	72.3	68	85.0	80	73.4	69	86.2
EX-5	35	81.4	38	86.3	30	88.2	38	84.4
Sub-total bilingual imperative appointments	1 391	68.2	1 574	69.5	1 653	70.5	1 926	77.3
TOTAL	2 038		2 265		2 345		2 490	

Source: PSC hiring and staffing activities files

*Percentages are calculated on the total of EX appointments by level

Official languages

- 2.22 PSC appointment data demonstrate that there are many opportunities for unilingual and bilingual Canadians to join the public service. Table 4 indicates the number of appointments to the public service, in organizations under the PSEA, by the language requirements of the position.
- 2.23 Of the 23 744 appointments to the public service, 17 009 (71.6%) were staffed as unilingual (e.g. English or French essential, French essential or English essential) and 6 393 (26.9%) were staffed as bilingual imperative.
- 2.24 However, the table shows that the proportion of appointments by the language requirement of the position varies depending on whether the appointment was indeterminate or for a specified period. Bilingual imperative appointments represented 34.2% of all indeterminate appointments, compared to 18.5% of all specified period appointments.

Table 4 – Appointments to the public service by language requirements of position and tenure for 2008-2009

Language requirements of position	Total				Total	
	Indeterminate		Specified term			
	No.	%	No.	%	No.	%
Bilingual imperative	4 351	34.2	2 042	18.5	6 393	26.9
Bilingual non-imperative	246	1.9	46 ²	0.4	292	1.2
English essential	6 662	52.4	6 565	59.5	13 227	55.7
French essential	324	2.6	1 179	10.7	1 503	6.3
English or French essential	1 084	8.5	1 195	10.8	2 279	9.6
TOTAL¹	12 705	100.0	11 039	100.0	23 744	100.0

Source: PSC hiring and staffing activities files

¹ Totals include unknown language requirements. The percentages are calculated based on the sum of all components, known and unknown.

² These records were incorrectly coded by organizations in the Public Works and Government Services pay system. They should have been coded as bilingual imperative.

- 2.25 **Appointments to the public service by first official language** – PSC statistics demonstrate that there are significant opportunities for both Anglophone and Francophone Canadians. In 2008-2009, 70.1% of persons appointed to the public service in organizations under the PSEA indicated English as their first official language, whereas 29.9% indicated French. These percentages have remained relatively unchanged over the past four years.

PSC statistics demonstrate that there are significant opportunities for both Anglophone and Francophone Canadians.

Table 5 – Appointments to the public service by first official language group, within and outside the National Capital Region

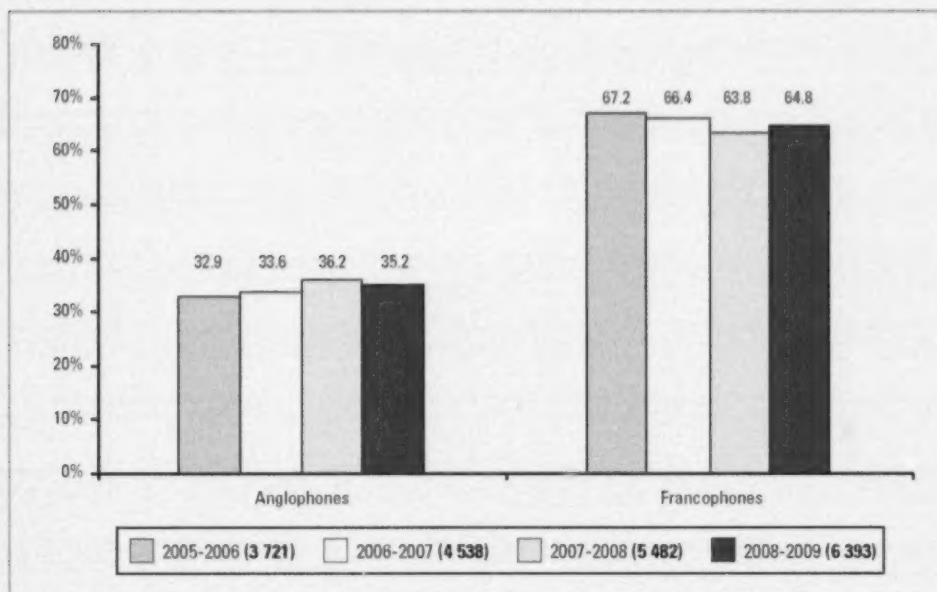
Region	First official language group	2005-2006		2006-2007		2007-2008		2008-2009	
		No.	%	No.	%	No.	%	No.	%
Within the NCR	Anglophone	3 640	63.2	4 266	60.4	5 428	60.3	6 415	61.8
	Francophone	2 124	36.8	2 793	39.6	3 578	39.7	3 966	38.2
Subtotal		5 764	100.0	7 059	100.0	9 006	100.0	10 381	100.0
Outside the NCR	Anglophone	6 998	75.4	8 212	78.3	9 879	77.9	10 145	76.6
	Francophone	2 287	24.6	2 275	21.7	2 806	22.1	3 104	23.4
Subtotal		9 285	100.0	10 487	100.0	12 685	100.0	13 249	100.0
TOTAL¹		15 178		17 699		21 838		23 744	

Source: PSC hiring and staffing activities files

¹ The total includes unknown values. Percentages use the known first official language as the denominator.

- 2.26 **Appointments to the public service by first official language group for bilingual imperative positions only** – The number of Anglophones and Francophones being appointed to bilingual imperative positions in organizations under the PSEA has also remained stable over the past four years, with 35.2% of the appointees being Anglophone and 64.8% being Francophone.

Figure 6 – Appointments to the public service by first official language group for bilingual imperative appointments only*



Source: PSC hiring and staffing activities files

*Please see technical notes, Table 37 in Appendix 7.

Public Service Official Languages Exclusion Approval Order

- 2.27 Under the Treasury Board of Canada Secretariat's *Directive on the Staffing of Bilingual Positions*, positions may be staffed on a non-imperative basis under specific circumstances. The *Public Service Official Languages Exclusion Approval Order* (Order) and the *Public Service Official Languages Appointment Regulations* (the Regulations) are the regulatory instruments whereby a public servant may be exempt for up to two years from the obligation to meet the language requirements of their position, if it was staffed on a non-imperative basis.
- 2.28 **The 1981 Order** – Until December 31, 2005, the PSC or authorized deputy heads could, at their discretion, extend the initial two-year exemption period in which persons had agreed to become bilingual. However, this Order did not specify the duration or circumstances of the extensions.
- 2.29 The new Regulations, which went into effect on December 31, 2005, specify that the initial exemption period may be extended for one or more additional periods of not more than two years in total, for the reasons set out in the

Regulations. Note that official language proficiency is an essential qualification that must be met, unless there is an exclusion approved under the Order.

- 2.30 Of the 62 878 indeterminate appointments made to and within organizations under the PSEA in 2008-2009 (excluding acting appointments), 2 160 (3.4%) were appointments resulting from a bilingual non-imperative process.
- 2.31 The two-year exemption period of the Order applies to 403 of these appointments, for which the incumbents did not meet the language requirements of their positions at the time of appointment. These incumbents are entitled to language training and must meet the language requirements within two years of their appointment.
- 2.32 The percentage of non-imperative appointments decreased in 2008-2009, although the number of employees not meeting the language requirements on appointment has increased. These are the cases that the PSC monitors to ensure compliance with the Order.

Table 6 – Number of employees exempted under the *Public Service Official Languages Exclusion Approval Order*

Fiscal year	Indeterminate appointments to bilingual positions	Non-imperative appointments (% of bilingual positions)	Employees not meeting the requirements upon appointment (% of non-imperative appointments)
2005-2006	19 793	2 180 (11.0%)	308 (14.1%)
2006-2007	22 744	2 294 (10.1%)	354 (15.4%)
2007-2008	26 182	2 054 (7.8%)	320 (15.6%)
2008-2009	30 318	2 160 (7.1%)	403 (18.7%)

Source: PSC hiring and staffing activities files, excluding acting appointments

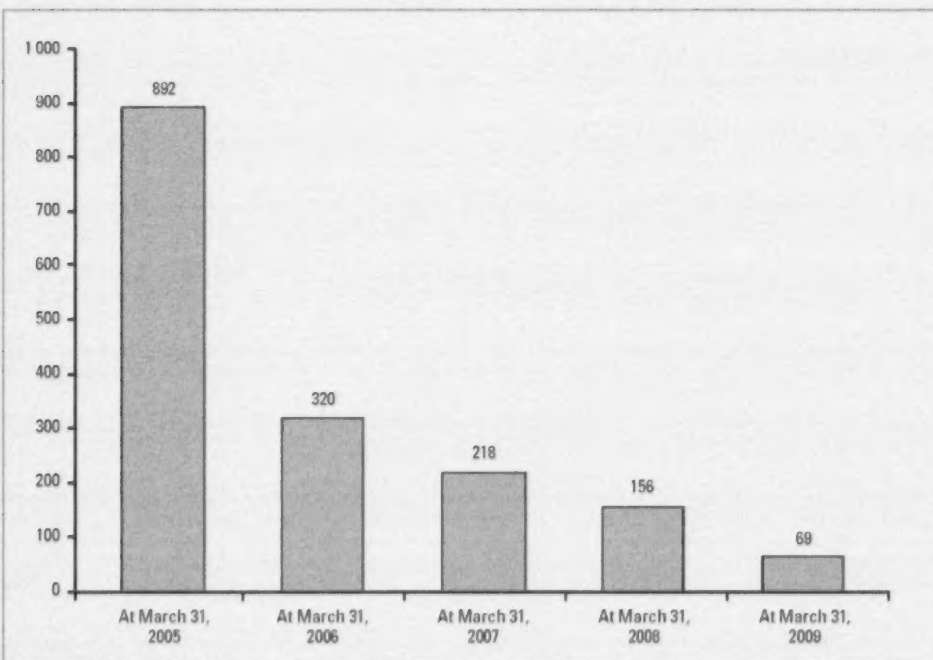
- 2.33 Each year, organizations are required to report instances in which employees who were appointed on a non-imperative basis still do not meet the language requirements of their position after the expiry of the initial two-year exemption period. On March 31, 2009, there were 311 employees whose initial two-year period had expired and who did not meet the language requirements of their position.

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2.34 **Trend towards compliance** – If an exemption expires before the incumbent meets the language requirements of their position, it must be extended in accordance with the provisions of the Order. In the past, the PSC noted that organizations did not always ensure that exemptions were extended to keep them compliant with the provisions of the Order.

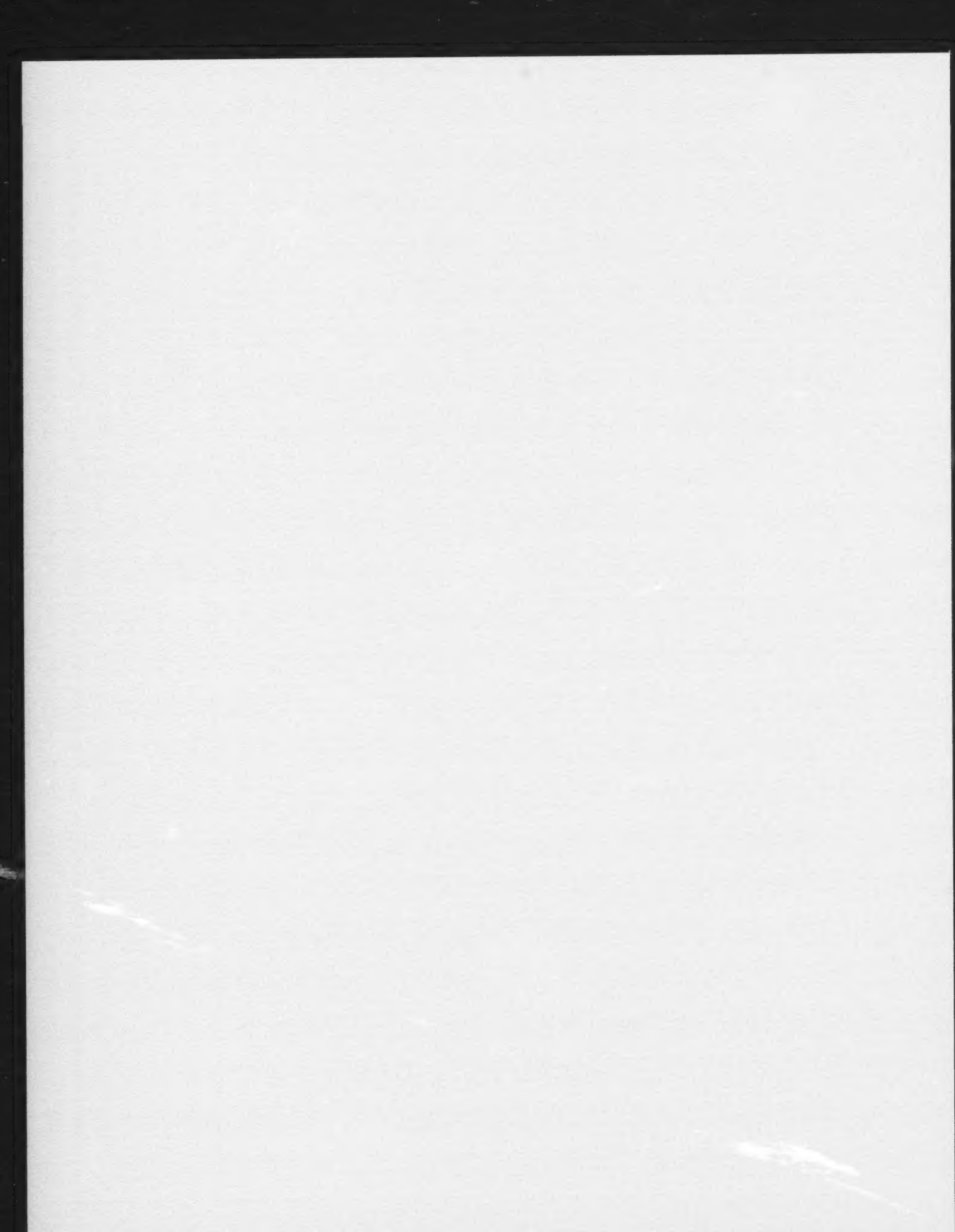
2.35 Since March 31, 2005, a steady decrease has been noted in the number of cases exceeding two years that are not compliant with the Order or its Regulations. On March 31, 2009, there were 69 such cases, whereas on March 31, 2005, there were 892. The reduction in the number of cases can be attributed to the PSC's monitoring and constant efforts to enhance the awareness of organizations and the increased vigilance of deputy heads.

Figure 7 – Number of non-compliant situations as of March 31 of each year



Source: PSC files on official languages

2.36 In its 2007-2008 Annual Report, the PSC identified organizations that had cases where the exemption period exceeded four years. In 2008-2009, the PSC asked the organizations to indicate the measures they had adopted to put an end to extensions granted under the old Order. Most organizations will be performing case-by-case follow-ups.



Chapter 3

Overall progress
regarding merit and
the guiding values



3 Overall progress regarding merit and the guiding values

- 3.1 For more than 100 years, the Public Service Commission (PSC) has been charged by Parliament with independently safeguarding the core value of merit in the federal public service. This means ensuring that merit is achieved in appointments to and within the public service while ensuring that the staffing values of access, transparency, fairness and representativeness are respected.
- 3.2 **Merit** is the foundation of a competent, professional and non-partisan public service. Both its meaning and application have evolved significantly since the *Civil Service Act* came into effect in 1908, and especially since the introduction of the current *Public Service Employment Act* (PSEA).
- 3.3 For the first time, the current PSEA provides a statutory definition of merit. Under the Act, an appointment is considered to be based on merit when the PSC is satisfied that the person to be appointed meets the essential qualifications of the work to be performed, as established by the deputy head (or sub-delegated manager) including official language proficiency. The PSC or the sub-delegated manager may also consider the following:
- Any additional qualification that the deputy head may consider to be an asset for the work to be performed, or for the organization, currently or in the future;
 - Any current or future operational requirements of the organization that may be identified by the deputy head; and
 - Any current or future needs of the organization that may be identified by the deputy head. These may include current and future needs of the public service, as identified by the employer, that the deputy head determines to be relevant to the organization.
- 3.4 This contrasts with the situation prior to the current Act, where candidates were assessed in relation to each other (i.e. relative merit).
- 3.5 **The merit system** is an inter-connected collection of institutions, laws, regulations, policies, accountabilities, processes and procedures that ensure that merit is implemented and that appointment decisions are guided by the public service values enshrined in the Preamble to the PSEA.
- 3.6 Through its Appointment Policy Framework, the PSC sets out its expectations for organizations when making and revoking appointments and taking corrective action. PSC policy requirements emphasize the values of access, fairness, transparency and representativeness that are highlighted in the Preamble to the PSEA and the key legislative requirements from other parts

PSC policy requirements emphasize the values of access, fairness, transparency and representativeness....

of the Act. Appointment decisions are also governed by the *Canadian Charter of Rights and Freedoms*, other Acts (e.g. the *Official Languages Act*, the *Employment Equity Act* and the *Canadian Human Rights Act*) and related jurisprudence. The *Values and Ethics Code for the Public Service* also provides guidance.

3.7 Deputy heads play a more significant role in implementing and protecting merit under the current Act than they have in the past. As encouraged by the Act, the PSC has delegated most of its appointment and appointment-related authorities to deputy heads. This includes the authority to revoke appointments and to take corrective action following the investigation of an internal appointment process by the deputy head. The PSC can investigate these internal appointments, if requested by the deputy head. The PSC retains the power to conduct investigations into cases involving external staffing processes, non-delegated internal appointments and any appointment involving allegations of political influence or fraud.

3.8 The Public Service Staffing Tribunal (PSST) considers internal appointment processes. Established under the current Act, the PSST is mandated to hear and decide complaints that:

- There was abuse of authority in internal appointments, in the choice between an advertised and non-advertised process, in layoffs or in the implementation of corrective actions ordered by the Tribunal;
- There was failure to assess the complainant in the official language of their choice; or
- A revocation was unreasonable.

The PSST also promotes the use of alternate dispute resolution mechanisms.

3.9 Informal discussion, also introduced under the current Act, plays another important role in implementing merit. Informal discussion allows an employee who has been eliminated from consideration in an internal appointment process to raise with the hiring manager any issues that the employee might have concerning that decision. The hiring manager can correct any errors, omissions or oversights in a timely fashion, and staffing decisions can be made more transparent.

3.10 Oversight is a key element of the merit system. With increased delegation to deputy heads, the PSC has placed greater emphasis on its oversight activities than under the previous Act by increasing monitoring and auditing and refocusing its investigative powers. Through its Appointment Policy Framework, its Appointment Delegation and Accountability Instrument and its Staffing Management Accountability Framework, the PSC sets out its expectations for the application of merit and the guiding values at the managerial level, within organizations and across the public service.

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- 3.11 **Achieving merit** – Hiring managers can choose from a range of staffing options to address their needs. These include the following: indeterminate, term and acting appointments; deployments; secondments and assignments; the use of student, developmental and interchange programs; and temporary help and casual arrangements. Managers must also choose the type of process to be conducted — internal or external and advertised or non-advertised — and identify the area of selection. In making their appointment decisions, the PSC expects managers to adhere to the relevant legislative and policy requirements. As well, managers may often take into considerations other factors, such as efficiency, succession planning and operational requirements.
- 3.12 However, in a delegated values-based merit system, it is the manager's application of the values that renders any given choice appropriate. The PSC expects managers and their organizations to be guided by the values of access, fairness, transparency and representativeness when designing their staffing strategies. All values are central, yet sometimes competing values require that trade-offs be made. Individual staffing decisions are inherently complex choices aimed at striking the right balance between potentially competing factors.
- 3.13 The PSC requires a clear demonstration that the values have been considered and applied. The PSC reviews the use and rationale for choosing from the various staffing options to determine whether individual decisions pose risks to merit and to the staffing system. For example, if a manager consistently cites time to staff as the rationale for choosing processes that are not transparent or accessible to a reasonable pool of potential candidates, the manager should consider using collective staffing approaches or accessing pre-qualified pools in order to ensure respect of PSEA requirements, PSC policies and a values-based approach.
- 3.14 In addition to considering merit on a case-by-case basis, the PSC is responsible for safeguarding the merit system overall. While individual decisions by managers may be appropriate, the aggregate effects of many decisions must not undermine the overall integrity of the staffing system in specific organizations or across the public service.
- 3.15 In this regard, the PSC holds deputy heads accountable for the extent to which relevant legislative, regulatory and policy requirements, including merit and the guiding values, are met in staffing activities in their respective organizations. Furthermore, each year the PSC provides Parliament with an integrated assessment of the overall integrity of the merit system based on the results of its monitoring, studies, surveys, audits and investigations.

Overall assessment

For the most part, merit is respected system-wide; however, the PSC continues to have concerns in some areas. Certain organizational recruitment practices, such as the increased proportion of indeterminate hires coming from casuals, pose a risk to the adherence of a values-based approach. In some processes, there has been insufficient evidence that merit was respected, particularly in non-advertised processes.

- 3.16 After more than three years' experience of operation under the current PSEA, the challenges of ensuring that merit is achieved in appointments to and within the public service and that the guiding values of access, transparency, fairness and representativeness are respected are more complex than ever. The results of the PSC's oversight activities point to a number of areas of concern and a need for renewed vigilance.
- 3.17 **Results of audits** – PSC audit reports have concluded that merit is generally being respected in individual organizations and system-wide. However, a review of PSC audits that were conducted in the period from 2005-2006 to 2008-2009 suggests trends that are cause for concern.
- 3.18 While appointment processes for the most part do respect merit, the PSC has identified a sufficient number that raise concerns about a lack of compliance with the legislative framework and PSC policies. Challenges with respect to human resources (HR) capacity, organizational control frameworks and incomplete staffing files have also been found to pose a risk to merit and adherence to the guiding values.
- 3.19 In particular, in several audits, the PSC has found insufficient evidence of whether or not merit is being met. Some organizations do not have effective staffing oversight mechanisms in place, and deputies are therefore unable to provide the information that the PSC requires to reach conclusions about a merit-based system. One of the continuing problems is insufficient documentation and missing rationale for staffing decisions. This means that it is impossible for the PSC to determine whether merit has been met and values have been applied.
- 3.20 In spring 2009, the PSC released its *Audit of the Federal Student Work Experience Program and subsequent appointments through bridging mechanisms*. The audit found that, overall, the program is working reasonably well. However, it also found that over a third of the bridging appointments were identified as unsatisfactory, in that they did not respect the PSC's appointment framework. The audit concluded that more rigour was needed in the documentation supporting bridging decisions.

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- 3.21 The PSC's earlier study on *Appointments under the Public Service Employment Act following participation in federal student employment programs* found that, during the study period, over one fifth of students had been appointed to an indeterminate or specified period position. However, the possibility of a subsequent appointment had not been advertised on the program poster. In October 2008, the PSC revised the advertisements for student employment in the Federal Student Work Experience Program (FSWEP), the Research Affiliate Program and the Co-operative Education and Internship Program to state that the appointment of students to indeterminate positions may occur following the successful completion of their program and their graduation. This means that subsequent appointments of students will be advertised and will be more transparent with regard to long term opportunities with the federal public service.
- 3.22 **Investigations and complaints** – In assessing merit, the PSC also reviews the results of PSC investigations, decisions of the PSST and results of deputy head investigations. In 2008-2009, there was a total of 33 founded staffing-related complaints or investigations, more than 4 times the number observed in the previous year. Of the 33 founded investigations and complaints:
- There were 21 founded PSC investigations, of which 15 were related to external appointment processes and 6 were related to fraud (see also Chapter 6);
 - There were 6 PSST decisions, in which allegations of abuse of authority were founded; and
 - There were 6 founded deputy head investigations related to internal appointment processes (one of which was conducted by the PSC at the deputy head's request).
- 3.23 The PSC is informed of deputy head investigations through its yearly monitoring exercise. Six organizations reported that they had conducted a total of nine investigations, six being founded, as noted previously. Four of the six founded investigations resulted in a total of six revocations of appointments. Three of these revocations were the result of one investigation. This investigation also resulted in the removal of five candidates from the pool. Nevertheless, while the number of founded deputy head investigations has increased from last year (when two deputy head investigations were founded), the PSC is concerned that deputy heads may not be using their authority to the extent expected.
- 3.24 **Statistical studies** – Through its statistical studies, the PSC continues to see areas where, at the system level, the values of access, transparency, fairness and representativeness may be adversely affected.

- 3.25 Casual hiring is a good example. Casual workers are most often hired as short-term replacements for staff and to help manage heavy workloads. At the more senior levels, casuals are used to bring in expertise in order to support a special project or to transfer knowledge. Many times, the skills of a former employee in the federal public service are ideal for supporting a special project, or the individual has key knowledge that would benefit federal public servants.³
- 3.26 Casuals are not considered to be employees within the meaning of the PSEA. Though the authority for deputy heads to make a casual appointment falls under section 50 of the PSEA, all other provisions of the PSEA, including merit, are not applicable to casual workers. Positions for casual workers are not advertised, nor are applicants required to be assessed against merit criteria, and a casual worker is not eligible to be considered for an internal appointment process.⁴
- 3.27 Subsequent appointments of casuals to indeterminate positions must comply with the PSEA, including merit. However, casuals may have an advantage over other potential candidates because of the experience and exposure they gained while employed in the position. If merit criteria are structured such that knowledge of the workplace is a requirement, there is a concern with respect to fairness and access. Furthermore, representativeness may be affected, as hiring managers tend to look locally when hiring for short-term periods. Concerns regarding access particularly arise in instances where persons who were originally hired as casual are subsequently appointed to an indeterminate position through a non-advertised process.
- 3.28 The PSC recently updated its study *New indeterminate employees: Who are they?* and found that there is a greater proportion of new indeterminate hires coming from the casual population. Over the initial study period (April 1998 to March 2006), the proportion of recruits with experience as a casual employee averaged 29%. In 2008-2009, and in the two preceding fiscal years, the proportion was 34%. This high level is a concern, as it potentially limits the pool of candidates and provides privileged access to some.
- 3.29 The PSC also analyzed the proportion of casual workers who were subsequently appointed to an indeterminate position. The PSC's study *To what extent do casuals become employed under the Public Service Employment Act (Update)* found that 48% of people who were casuals in 2000-2001 were appointed. Of these, 69% were appointed to an indeterminate position. These results are higher than the earlier study, which found that 41% were subsequently employed and, of these, 58% resulted in indeterminate positions.

³ www.tbs-sct.gc.ca/faq/ocas-eng.asp#q5

⁴ Ibid.

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The use of temporary arrangements to circumvent the requirements of the PSEA and contravene the guiding values is of concern to the PSC.

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- 3.30 **Use of private firms** – Temporary employment agencies are also used to find short-term replacements through contracting. Deputy heads are responsible for the HR and financial management of their organization. Appropriate use of such agencies can help organizations manage their workload. However, organizations should not become overly reliant on the use of temporary agencies, particularly if there is an established job or when they are used repeatedly for an extended period. If there is ongoing work, a merit-based process, providing opportunities for others to apply, should be used. The use of temporary arrangements to circumvent the requirements of the PSEA and contravene the guiding values is of concern to the PSC.
- 3.31 The PSC plans to take a closer look at the use of temporary help services within the context of the PSEA and the guiding values. The results of the study will be published in 2010 (see Appendix 2 – Audit, Evaluation and Studies Plan / 2010 and 2011).
- 3.32 **Survey data** – About 98% of managers responding to the Survey of Staffing conducted in 2008-2009 indicated that they were satisfied “to a moderate or great extent” with the quality of the hire for the last position that they staffed via advertised processes during the reporting period (i.e. October 2007 to September 2008). The level of satisfaction remains relatively stable compared to previous survey results.
- 3.33 About 76% of candidates who participated in the Survey of Staffing perceived that the actual job requirements matched at least “moderately” the advertised requirements for the position to be filled within their general work areas. External candidates who were appointed to organizations under the PSEA differed only slightly in their perceptions than those already within the public service.
- 3.34 Past public service employee surveys have consistently shown that there is a relatively positive perception that competent persons are appointed. However, the number of respondents with a negative perspective has been increasing and is of concern to the PSC. The 2008 Public Service Employee Survey, conducted by the employer, found that 24% of respondents who provided an opinion did not agree that in their work unit they “hire people who can do the job,” up from 22% in 2005 and 20% in 2002.
- 3.35 **Information gaps** – There are a number of information gaps in other parts of the staffing regime that cause concern. For example, the PSC does not have enough information about the frequency and outcome of deputy head investigations to determine their effectiveness in upholding merit.
- 3.36 The PSC will continue to examine all aspects of the staffing regime that may have a direct or indirect impact on merit and non-partisanship as well as on the guiding values.

Access

Access to the public service has increased as a result of the PSC's requirement for a national area of selection across Canada.

- 3.37 Broad and open access to all Canadians is an important value under the PSEA. The PSC expects persons from across the country to have a reasonable opportunity to apply and be considered for public service employment, in the official language of their choice. Access is measured by the use of a national area of selection (NAOS) and of advertised and non-advertised processes.
- 3.38 **National area of selection** – The PSC is committed to providing Canadians with access to federal public service jobs across the country. It implemented a phased-in, measured approach to requiring a NAOS for full-time, external advertised long-term (six months or more) and indeterminate processes.
- 3.39 The requirement was first established in 2001 for executive and senior officer-level jobs. It was then applied to officer-level jobs in the National Capital Region (NCR) in 2006, to officer-level jobs nationally in 2007 and, finally, in December 2008, to non-officer-level jobs across the country.⁵ It was expected that applications from regions other than that of the position would increase, as would appointments of non-regional applicants.
- 3.40 The requirement to use a NAOS applies to all indeterminate appointments, all term appointments of six months or more and FSWEP student appointments. Part-time workers, seasonal employees, part-time students and full-time FSWEP student appointments are excluded from the policy requirement when an initial referral using NAOS proves unproductive. The *Area of Selection Policy* was amended in 2008-2009 to also allow exceptions, where approved by the PSC on a case-by-case basis.
- 3.41 The NAOS requirement is expanding access to full-time term employment of six months or more and to indeterminate jobs. In 2004, 19% of such jobs were open to individuals across the country. This rose to 55% in 2007, reflecting the expansion to officer-level jobs. As of December 2008, 100% of these jobs are now open to candidates living anywhere in Canada and Canadians living abroad.

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⁵ Officer-level jobs are in the scientific, technical, administrative and foreign service categories. The functions of non-officer-level jobs are administrative support, such as clerks, or operational, such as general labourers.

Application data also show that the NAOS is improving access.

3.42 The requirement to use NAOS for non-officer levels came into effect in the last 3 months of 2008-2009. During that period, 192 non-officer jobs were advertised with a national area of selection, compared to 107 over the previous 9 months.

3.43 Application data also show that the NAOS is improving access. In 2007-2008, 91 996 (38%) of 242 096 applications for jobs in the NCR were from other regions. In 2008-2009, this rose to 88 050 (41%) of 214 756 applications. This rate of increase was typical of other regions except for Saskatchewan, where the number of applications from other regions rose from 7 419 (66%) of 11 242 in 2007-2008 to 16 646 (80%) of 20 808 in 2008-2009.

Table 7 – Source of applications for nationally advertised jobs

Region	2007-2008		2008-2009	
	3 518 processes		4 880 processes	
	# of applications	% from other regions	# of applications	% from other regions
British Columbia	47 175	57%	57 505	57%
Alberta	33 080	71%	36 437	75%
Saskatchewan	11 242	66%	20 808	80%
Manitoba	15 834	59%	18 150	63%
Ontario (except NCR)	57 792	39%	103 843	41%
National Capital Region (NCR)	242 096	38%	214 756	41%
Quebec (except NCR)	39 777	25%	91 216	26%
New Brunswick	8 823	64%	13 275	66%
Nova Scotia	10 650	59%	14 136	69%
Prince Edward Island	2 627	65%	3 774	67%
Newfoundland and Labrador	3 833	64%	7 459	72%
Yukon	1 748	93%	2 041	94%
Northwest Territories	5 072	92%	4 341	93%
Nunavut	1 618	92%	2 610	96%
TOTAL VOLUME	481 367		590 351	

Source: Public Service Resourcing System

3.44 The PSC anticipated an increase in non-regional applicant appointments. In the NCR, where the NAOS has been required for longer than in other regions, such appointments were stable at 12% for 2006-2007 and 2007-2008. Preliminary data suggest that this rose to at least 16% in 2008-2009.

- 3.45 The PSC cannot determine whether the appointment rate is sufficient, as previously there was no possibility of non-regional applications. The PSC will continue to monitor the rate of appointment of non-regional applicants and initiate research into what other factors may be involved. For example, the PSC will examine the statements of merit criteria to determine whether any barriers exist in addition to the traditional patterns of inter-provincial migration in the general labour force.
- 3.46 **Use of advertised and non-advertised process** – The PSEA and the PSC’s appointment policy provide managers with more discretion and a variety of options as to their choice of process (advertised, non-advertised, internal or external) to improve efficiencies. The choice of process must be considered against the values and supported by the organizational HR plan.
- 3.47 The PSC has encouraged the use of advertised appointment processes as a standard practice, since they are a better reflection of the guiding values of access and transparency. Although non-advertised appointment processes may be used, the PSC’s *Choice of Appointment Process Policy* requires a written rationale for the way in which the choice of a non-advertised process respects the values of the PSEA and is consistent with the organization’s HR plan and organizational criteria for the use of non-advertised appointments. Deputy heads are expected to ensure that their organizational criteria for the use of non-advertised processes are applied appropriately.
- 3.48 There are certain circumstances in which the use of non-advertised processes may be considered appropriate, such as where there is a skill shortage or where an employee is participating in a developmental program. Hiring managers who answered the PSC’s Survey of Staffing indicated the following reasons for using non-advertised processes as “somewhat” to “very” important:
- 87% indicated an urgent need to staff the position;
 - 75% indicated a skill shortage; and
 - 57% indicated a developmental program or other investment in staff.
- 3.49 As part of the reporting requirements set out in the PSC’s Staffing Management Accountability Framework, organizations are expected to report on their use of non-advertised processes. However, as the PSC noted last year, there are issues with respect to the timeliness and quality of organizational reporting. In reconciling the organizational data with PSC files, the PSC can only successfully match approximately 68% of organizational data.

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3.50 Based on the data submitted by organizations matched with the PSC's hiring and staffing activities files, the PSC estimates that, in 2008-2009, organizations decreased their use of non-advertised processes: 37% were non-advertised processes, compared to 40%⁶ the year before. Table 8 provides details on the use by organizations of advertised and non-advertised processes by appointment type for 2008-2009.

3.51 The PSC's *Study on the Data Collection of Non-Advertised Appointments* also found that accuracy varied greatly among organizations. The PSC is looking into alternative means of collecting information on the use of non-advertised processes, including the rationales for their use, through automated systems such as the Priority Information Management System.

Table 8 – Estimates of appointments *to* and *within* the public service by appointment type and process (advertised or non-advertised)

Appointment type	Advertised		Non-advertised		Total ¹
	No.	%	No.	%	No.
Appointments to the public service	13 822	73.9	4 891	26.1	18 713
Promotions	13 549	68.5	6 243	31.5	19 792
Acting appointments ²	1 047	15.8	5 559	84.2	6 606
TOTAL	28 418	63.0	16 693	37.0	45 111

Source: PSC hiring and appointment statistics matched to organizational files

¹ Note that this data is derived by matching the 65 983 appointments in 2008-2009 (excluding laterals, downward movements and deployments) from the PSC files to data submitted quarterly by organizations (primarily through manual data-collection processes). Due to timing and data quality issues, the PSC was only able to match approximately 68% of the appointments with the organizational data.

² Acting appointments of four months or more.

⁶ Last year, the PSC reported that 43% of all appointments were made via non-advertised processes and that 70% of acting appointments were non-advertised. As a result of a new algorithm for matching organizational data on advertised versus non advertised processes, an additional 13 000 records were matched when applied to the data of the previous years. The figures for last year have been revised to 40% and 82%, respectively.

Fairness

The PSC continues to be concerned about employee perceptions of fairness in appointment processes, generally, and employee opportunities for acting appointments, in particular.

- 3.52 The PSC expects that staffing decisions are made objectively and are free from political influence or personal favouritism and that policies and practices reflect the just treatment of persons.
- 3.53 **Perceptions of employees** – The PSC 2007-2008 Annual Report noted that 70% of appointees surveyed by the PSC's Survey of Appointments regarded appointments made within their work unit as having been made fairly. The PSC's 2008-2009 Survey of Staffing used a stronger measure of fairness and asked employees, both successful and unsuccessful candidates, to rate the fairness of the various factors against which they had been assessed when participating in an advertised process. Factors included their abilities, skills, knowledge, training, work experience and potential.
- 3.54 Of the 6 400 survey respondents who provided an opinion, 71% indicated that they were assessed fairly when combining all factors. Those who either received an offer of appointment or successfully entered a pool were noticeably more likely to perceive their assessment as fair (88%) than those who either were screened out or were unsuccessful (57%).
- 3.55 Those who perceived greater fairness in the way in which they were assessed were also more likely to respond that they had been assessed for the actual job requirements and that they had ample opportunity to demonstrate their capabilities for the job. Additionally, those indicating a fair assessment also indicated that advertised job requirements for processes conducted within their own work unit reflected actual job requirements and did not pose barriers to qualified individuals.
- 3.56 **Acting appointments** – For several years, the PSC has raised concerns about acting appointments. This concern continues in 2008-2009.
- 3.57 Acting appointments can be used to the benefit of the organization or for employee development. However, if lengthy acting appointments are used to avoid more transparent methods of meeting longer-term staffing needs, this can compromise the guiding values. The update of the PSC's study on acting appointments indicates that the rate of promotion subsequent to an acting appointment is noticeably higher than rates of promotion from non-acting situations. When the position is being permanently filled, acting appointments provide an advantage for the person acting over other candidates who did not have the same opportunity.

...the rate of promotion subsequent to an acting appointment is noticeably higher than rates of promotion from non-acting situations.

- 3.58 Opportunities for acting appointments contribute to the perception of fairness in staffing decisions. In Table 8, the PSC's statistics demonstrate that a large percentage of acting appointments of four months or more (84.2%) were made through non-advertised processes, a slight increase from last year's figure of 82%.
- 3.59 Advertising an acting opportunity or providing rotational acting appointments protects fairness in subsequent selection processes.

Transparency

Information about appointment opportunities and processes needs to be improved. In particular, the PSC will study informal discussions and their impact on the staffing and recourse system.

- 3.60 Information about staffing strategies, decisions, policies and practices must be communicated in an open and timely manner.
- 3.61 **Length of time for advertising** can pose a risk to access because people in different time zones and those requiring accommodation to read and apply may not be able to respond within the limited time frame. For external advertisements, the PSC's advertising system, the Public Service Resourcing System (PSRS), imposes a minimum notice period so that advertisements cannot close on the same day as they are posted. Over one third of the approximately one million applications received in the PSRS each year are for jobs advertised for two days or less. These processes average over 250 applications per job posting.
- 3.62 For internal advertisements, organizations must post them on Publiservice, the extranet site for employees of the Government of Canada. Publiservice allows users to post and close the advertisement on the same day. Over 10 000 applications are received through Publiservice each year, with just 1% of the jobs advertised for 2 days or less, averaging around 30 applications per job posting.
- 3.63 The PSC is also concerned that the Publiservice text reader service, which provides access to visually impaired candidates, is not available evenings or weekends. In these situations, access is an issue when jobs are advertised for one or two days.

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- 3.64 The PSC is reviewing the need for a minimum notice period for job advertisements. The possibility of a policy requirement for a minimum period is being considered in order to ensure that Publiservice provides the same access as the PSRS.
- 3.65 **Perceptions of employees** – Of those who completed the 2008-2009 PSC Survey of Staffing questions on transparency, 71% described staffing within their work unit as being conducted in a transparent manner. Of those, about 80% also indicated that the advertised job requirements reflected the requirements of the position.
- 3.66 **Informal discussion** – In 2008-2009, the PSC's Survey of Staffing also began to monitor the use and effectiveness of informal discussion by collecting information from both managers and employees. Employees who responded were considered either successful candidates (i.e. appointed or placed in a pool awaiting an offer) or unsuccessful (i.e. screened out during the process or not offered an appointment at the end of the process).
- 3.67 Approximately 55% of managers who responded to the survey had been asked by an employee for an informal discussion after the notification of appointment.
- 3.68 Approximately 38% of candidates who expressed an opinion indicated that they had requested an informal discussion. Candidates were split when responding about their level of satisfaction with the outcome of the discussion: approximately 31% were not at all satisfied, 37% were satisfied "to some extent" and 31% were satisfied "to a great extent."
- 3.69 Approximately 55% were satisfied with the time that it took for the discussion to take place. Of those candidates who indicated that they had requested an informal discussion, 13% were screened back into the process and one third of these were subsequently offered an appointment or placed in a pool.
- 3.70 In 2009-2010, the PSC will continue to examine the effectiveness of informal discussion and its overall contribution to improving the recourse regime.

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Representativeness

There has been improvement in the recruitment of employment equity groups to the public service, with the exception of persons with disabilities. However, the Public Service Commission continues to be concerned about the “drop-off” of visible minorities between application and appointment stages.

3.71 **The Act and employment equity** – As reported by the Canada Public Service Agency in 2009, the representation of three employment equity (EE) groups — women, Aboriginal peoples and persons with disabilities — in the public service is above their respective workforce availability (WFA); however, visible minorities remain the only under-represented group.⁷ In 2008-2009, the PSC continued to closely monitor the way in which organizations use the flexibilities of the PSEA to improve the recruitment, and hence the representation, of EE groups in the public service. Progress has been made in the following areas:

- A new method of measuring recruitment rates of EE groups;
- Assessment of EE recruitment trends and performance;
- Completion of the study on the drop-off of EE groups in external advertised recruitment processes;
- An approach to affirming Aboriginal affiliation for targeted processes; and
- Noteworthy practices.

New method of measuring of employment equity recruitment rates

3.72 In the past, the PSC calculated the proportion of EE appointments by matching appointment data with self-identification data from the Employment Equity Data Bank (EEDB) maintained by the Office of the Chief Human Resources Officer (OCHRO), in the Treasury Board of Canada Secretariat (TBS). The EEDB is based on data collected through a voluntary employee self-identification process by departments and agencies. The self-identification records are updated periodically through a reconciliation process between the TBS and organizations.

⁷ As reported by the Canada Public Service Agency in 2009 in its *Employment Equity in the Public Service of Canada 2006-2007 and 2007-2008 Report to Parliament*.

- 3.73 In 2008, the PSC developed a new methodology to estimate the percentage of each EE group (other than women, who are identified through the pay system) for appointments to the public service by matching the appointment data for the fiscal year with the applicants' voluntary self-declaration data from the PSRS, where external job opportunities are advertised.
- 3.74 When applicants create an account in the PSRS, the system provides an automated self-declaration form that is completed by applicants on a voluntary basis. Applicants may self-declare as members of EE groups for statistical purposes or for both statistical and recruitment purposes. The name, partial date of birth and gender of the applicants who self-declare in the PSRS are matched with the PSC's appointment data for the fiscal year in order to estimate the recruitment rate for each EE group.
- 3.75 It is important to note that, with the new method, the recruitment figures for the three EE groups — Aboriginal peoples, persons with disabilities and visible minorities — are derived from advertised processes, which accounted for 72% and 74% of all appointments to the public service in 2007-2008 and 2008-2009, respectively. The PSC continues to explore mechanisms to collect similar EE data from non-advertised processes.
- 3.76 **Collaboration on employment equity data** – The match of applicants who self-declared in the PSRS with the 2006-2007 and 2007-2008 appointment data has produced significantly higher recruitment rates for visible minorities, compared to rates produced using the EEDB; however, there were only small differences in recruitment levels for Aboriginal peoples and persons with disabilities.⁸ In order to discover the reasons for the differences, the PSC and the OCHRO are working together to examine and compare organizational systems, approaches and practices for gathering EE self-identification data. Seven organizations have been selected to be part of this exercise: Environment Canada, Health Canada, Justice Canada, Natural Resources Canada, the Public Service Commission, Public Works and Government Services Canada and Veterans Affairs Canada.
- 3.77 The findings show that the differences observed in EE recruitment rates could be partly attributed to difficulties encountered by departments and agencies in administering the self-identification process. The differences could be greatly reduced using guidelines and tools from the OCHRO and the PSC to ensure integration of self-declaration and self-identification information

⁸ PSC. March 23, 2009, Appearance before Senate Standing Committee on Human Rights, handout – *Recruitment of Employment Equity Groups*, available at www.psc-cfp.gc.ca/spch-disc/2009/2009-03-23a-eng.htm.

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by all organizations; communication to help applicants and employees understand the purpose and significance of EE and the differences between self-declaration and self-identification; and other improvements to the EE data-collection process and systems in departments and agencies.

- 3.78 **Future strategy** – The PSC’s new methodology for determining EE recruitment rates is the beginning of a solution. Reliable information to effectively plan and monitor progress in representativeness is critical. The PSC is currently working with the OCHRO, in consultation with Human Resources and Skills Development Canada’s Labour Program and the Canadian Human Rights Commission, to develop a methodology and data-collection process that take into consideration the interests of all parties. The goal is to achieve more accurate and reliable statistical data on EE groups using one common methodology to both measure and report on the representation of EE groups in public service appointments and in the population of their organizations, in compliance with the *Employment Equity Act* (EEA) and the *Privacy Act* in addition to the PSEA.

Assessment of employment equity recruitment trends and performance

- 3.79 The PSC continues to support departments and agencies by facilitating the recruitment of talented Canadians drawn from across the country. In 2008-2009, more than 300 000 applicants used the PSRS to apply for more than 10 000 positions advertised to Canadians on the PSC’s jobs.gc.ca Web site.
- 3.80 The following table shows the trends in rates of applicants and appointments to the public service by EE group compared to the corresponding 2006 WFA estimates over a three-year period.

Table 9 – Percentage of applicants to advertised processes and appointments to indeterminate positions and terms of three months and over in the public service, by employment equity group and fiscal year, compared to the 2006 workforce availability

Employment equity group	2006-2007	2007-2008	2008-2009	2006 WFA ⁴
Percentage of applicants ¹				
Aboriginal peoples	3.5%	3.4%	3.6%	3.0%
Persons with disabilities	3.1%	2.9%	3.0%	4.0%
Visible minorities	21.0%	21.8%	24.7%	12.4%
Women	60.0%	61.1%	57.8%	52.3%
Percentage of appointments to the public service ²				
Aboriginal peoples	4.2%	4.4%	4.2%	3.0%
Persons with disabilities	3.9%	3.3%	3.3%	4.0%
Visible minorities	15.6%	17.3%	18.8%	12.4%
Women ³	55.6%	58.0%	57.1%	52.3%

Source: PSC hiring and staffing activities files

¹ For applicants to advertised processes, the percentages for the four EE groups are based on applicants who self-declared through the PSRS since January 2006.

² For appointments to the public service, the percentages for three EE groups are based on applicants who applied and self-declared through the PSRS in the preceding two years and where a match was found in the PSC's appointment file as of March 31, 2009.

³ The figures for women appointed to the public service are extracted from the PSC hiring and staffing activities files, which are based on Public Works and Government Services Canada's pay file.

⁴ The 2006 workforce availability for the public service was provided by the OCHRO.

3.81 As shown in Table 9, the percentage of applicants to external advertised processes for three EE groups — Aboriginal peoples, visible minorities and women — was above their respective WFA. Likewise, the percentage of appointments to the public service for these three EE groups exceeded their WFA estimates.

3.82 For **persons with disabilities**, both the percentage of applicants and the percentage of appointments to the public service were below the WFA of 4.0%, as derived from the 2006 post-censal Participation and Activity Limitations Survey. Persons with disabilities in the public service tend to be older than the average public service employee and are therefore more likely to retire in the near future. Concerted efforts to market the public service to, and recruit from, this segment of the population, as well as providing accommodation to meet their needs in the appointment process and in the workplace, is required to maintain their existing representation levels.

For persons with disabilities, both the percentage of applicants and the percentage of appointments to the public service were below the workforce availability....

- 3.83 For **Aboriginal peoples**, there was a decrease in the recruitment rate from 4.4% in 2007-2008 to 4.2% in 2008-2009. Aboriginal peoples continue to be concentrated in a few organizations, namely, Indian and Northern Affairs Canada (INAC), Correctional Services Canada and Human Resources and Skills Development Canada. A consistent government-wide approach to affirm Aboriginal affiliation for targeted processes (see 3.94) would facilitate their mobility upwards and at all levels across the public service.
- 3.84 For **visible minorities**, there has been a steady increase from 2006-2007 to 2008-2009 in the percentage of applicants to the PSRS (from 21.0% to 21.8% to 24.7%) and in their recruitment rates to the public service (from 15.6% to 17.3% to 18.8%). This means that, from advertised external processes, visible minorities were hired at a rate of almost 1 in 5 over the last fiscal year. If this trend continues, it will help to improve the representation of visible minorities in the public service.
- 3.85 The improvement in the recruitment of visible minorities over the last three years is related to the following:
- The current PSEA, which came into force in December 2005, with enabling features and flexibilities for improving representativeness;
 - The 2008-2009 *Public Service Renewal Action Plan*, which required organizations to prepare integrated business and HR plans that included a strategy for the recruitment, development and advancement of EE groups and recruitment efforts to accelerate the closing of the representation gap for visible minority Canadians; and
 - The PSC's role and efforts in promoting the EE-enabling features of the PSEA and their use by deputy heads, managers and HR advisors, together with better organizational HR planning and EE staffing strategies.
- 3.86 **Assessment of performance** – The PSC tracks the organizational use of EE criteria in restricting the area of selection and as part of “organizational need” within the statement of merit criteria in external and internal advertised processes. In 2008-2009, the results showed that organizations were using such approaches in 33.8% of externally advertised processes (an increase of 9 percentage points over the previous fiscal year) and in 35.3% of internally advertised processes (an increase of 5 percentage points over the previous fiscal year).
- 3.87 From the PSC's assessment of staffing performance based on the 2008-2009 Departmental Staffing Accountability Reports (DSAR), about 75% of the organizations, representing 69% of the public service population, were rated overall as “acceptable.” For large organizations, this meant that they were focusing their HR plans on the use of EE provisions in advertising. For small organizations of fewer than 75 employees, this meant they were including

statements in their HR plans committing to EE principles. Three of the large organizations of over 2 000 employees, representing 21% of the PSEA population, were assessed as having “opportunities for improvement” or “attention required.”

- 3.88 Furthermore, the PSC observed that organizations with stronger performance in the DSAR assessment tended to use more EE provisions in their advertising of job vacancies. This suggests that organizations are not just planning for the use of EE provisions, but that they are in fact implementing their plans.
- 3.89 **Drop-off research** – The PSC has completed its research project on the drop-off of EE groups in externally advertised processes, and a final report on the drop-off project will be released in 2009-2010, at the same time as this Annual Report.
- 3.90 The study estimated EE group drop-off by two methods: a survey of applicants to general recruitment that captured information about the different stages in the process and an analysis of the PSC’s central data files that compared appointment data with PSRS applicant data. Both methods used EE applicant self-declaration data.
- 3.91 The studies showed that, for the visible minority group, there was a drop-off of three to four percentage points from the first stage of the process (application) to the last stage (appointment). Persons with disabilities and Aboriginal persons did not show a drop-off. According to the survey results, visible minorities experienced drop-off mainly at two stages of the recruitment process conducted by organizations: following the review of PSRS applications and following testing. Voluntary drop-out or withdrawal by applicants did not account for the observed drop-off.
- 3.92 Past studies have used different methodologies. From its recent research, the PSC found that, for visible minorities, the drop-off in percentage points based on *applications* was about 15%; however, based on unique *applicants*, it was about 4%. This was due to the finding that visible minorities applied for a higher number of job advertisements compared to the average job seeker. Furthermore, the study found that the EE self-declaration results obtained from the survey and the applicant data were comparable, supporting the reliability and consistency of the EE data in the PSRS.
- 3.93 The PSC plans to examine more closely the appointment rates of EE groups by organization and occupational group in both internal and external processes. This will identify any barriers and help to develop strategies for improving EE group representation across the public service at all levels.

The PSC plans to examine more closely the appointment rates of EE groups by organization and occupational group in both internal and external processes.

The Committee for the Advancement of Native Employment... raised concerns with the PSC about some individuals falsely self-declaring as Aboriginal in order to gain access to employment opportunities....

- 3.94 **Approach to affirm Aboriginal affiliation for targeted processes –** Since July 1997, INAC has a 50% Aboriginal Hiring Policy and an Aboriginal Employment Program. Recruitment and staffing processes open only to Aboriginal persons are sometimes used to achieve this objective.
- 3.95 The Committee for the Advancement of Native Employment (CANE), representing Aboriginal employees within INAC, raised concerns with the PSC about some individuals falsely self-declaring as Aboriginal in order to gain access to employment opportunities intended only for Aboriginal peoples. In order to develop a government-wide approach that would deter false declaration without additional burden or obstacles for applicants, HR advisors and hiring managers, consultations were conducted with key deputy ministers, CANE, the National Council of Aboriginal Federal Employees, departments and agencies, bargaining agents and other EE employee councils.
- 3.96 Consequently, the PSC has adopted the following approach to address the issue:
- The PSC will require all departments and organizations under the PSEA to use an Affirmation of Aboriginal Affiliation Form (AAA Form) for internal and external, advertised and non-advertised appointment processes targeted to Aboriginal peoples;
 - The use of the AAA Form will be supported by a communications strategy. Information, tools and guides provided by the PSC will help organizations and candidates understand the purpose and implications of self-declaration and self-identification;
 - The PSC will continue to encourage departments and agencies to include in the statement of merit criteria requirements or competencies that are linked to the job as essential or asset qualifications, such as knowledge of an Aboriginal language, culture, values or customs, in relevant situations; and
 - A plan for the implementation in 2009-2010 of the above approach is being developed with the input of INAC, other key organizations and Aboriginal groups.
- 3.97 **Duty to accommodate –** In accordance with the *Canadian Human Rights Act* and the EEA, the PSC's *Policy on Employment Equity in the Appointment Process* requires that delegated departments and agencies accommodate the needs of persons through all stages of the appointment process, to address, up to the point of undue hardship, disadvantages arising from prohibited grounds of discrimination and to use assessment tools and processes that are designed and implemented without bias and that do not create systemic barriers. The PSC has provided relevant guidance to departments and agencies in the *Guide for Assessing Persons with Disabilities - How to determine and implement assessment accommodations*. The PSC also provides accommodation

for its assessment instruments and can advise organizations that are making accommodations to their own assessment procedures. Organizations can also design their own accommodation measures.

- 3.98 The PSC is concerned that accommodations be developed properly and meet the functional limitations of applicants. A study of the extent and quality of organizational accommodations is being designed to determine whether there are any risks to access. The PSC will explore risk mitigation strategies, such as accommodation training sessions. Another concern is that wait times for accommodations can cause delays in the appointment process, which is problematic for both managers and applicants.
- 3.99 As part of the consultations on the policy review in preparation for the statutory review of the EEA and the PSEA, the PSC will seek the views and experiences of various stakeholder groups on the issue of accommodation of applicants in the assessment process.

Noteworthy practices

- 3.100 To achieve strong performance in ensuring representativeness, the PSC expects organizations that have achieved an overall workforce representation equivalent to the workforce availability estimates for each of the four designated groups to make use of the EE provisions to reduce under-representation gaps in specific occupational groups and levels. In 2008-2009, five organizations were rated as having a strong performance in this area for using such noteworthy measures as outreach to and partnerships with under-represented group organizations and communities, developing staffing pools for designated group members and organizing career fairs targeting designated group members in which other organizations could participate.
- 3.101 The PSC carried out other work in 2008-2009 to support organizations in meeting their EE objectives. These activities included the following:
- **Visible minority EX-1 fully assessed pool** – Increasing the representation of visible minorities in the executive category helps provide the leadership needed to change the corporate culture in the public service. As a result of the PSC's first visible minority collective pre-qualified pool, completed in February 2008, 27 qualified visible minority candidates were appointed to executive positions. Building on this success, the PSC launched a second visible minority external process, resulting in the establishment of a fully assessed pool of 30 qualified visible minority candidates at the EX-1 level, comprised of 27 internal and 3 external candidates. The PSC used a structured interview, reference checks and the PSC's simulation for the Selection of Executives to establish the pool

Increasing the representation of visible minorities in the executive category helps provide the leadership needed to change the corporate culture in the public service.

of candidates. The PSC has advised deputy heads that fully assessed visible minorities are available for appointment and is working with departments and agencies to place them in executive positions. Thirteen had been appointed as of March 31, 2009.

- **Objective Eye** – This is an interdepartmental initiative led by Citizenship and Immigration Canada (CIC) to foster bias-free appointment processes in the federal public service by providing an inventory of trained EE-group public servants who have volunteered to acquire training and to serve on selection boards. The PSC and CIC are discussing whether the PSC should assume leadership for the Objective Eye as part of its efforts to facilitate diversity on selection boards and to provide a better service to departments and agencies.

Chapter 4

A non-partisan
public service



4 A non-partisan public service

- 4.1 In 2008, the Public Service Commission (PSC) commemorated its 100th anniversary of service, on behalf of Parliament, to ensure that Canada has a professional and non-partisan public service.
- 4.2 Non-partisanship is a core value by which public servants are appointed without political influence and are seen to carry out their duties in a politically impartial manner. Non-partisanship has been a tradition since the adoption of the merit principle in 1908. While the Commission has undergone many changes since then, its mandate to protect merit and non-partisanship in the federal public service has been constant.
- 4.3 The federal public service is recognized by other jurisdictions, internationally and domestically, for its reputation of being politically impartial. A non-partisan public service makes responsible democratic government work by:
- Providing continuity and a stable legal and constitutional transition when democratic processes result in new administrations;
 - Ensuring that ministers are given objective advice to use in establishing policies and programs to meet the needs of Canadians; and
 - Providing information that ministers need to fulfill their accountability to Parliament and to Canadians.
- 4.4 When the merit principle was introduced 100 years ago, efforts to achieve a professional and non-partisan public service centered on ensuring that appointments to the public service were free of political influence and restricting the political activities of public servants following appointments, except for voting. Over time, there have been gradual changes affecting the landscape for public servants wishing to participate in political activities. The 1967 *Public Service Employment Act* (PSEA) continued the ban on most political activities, yet stated that public servants did not contravene the Act by donating money to a political party or by attending political meetings. The Act also allowed public servants to stand for election with the permission of the PSC. Deputy heads remained barred from any activity other than voting.
- 4.5 The adoption of the *Canadian Charter of Rights and Freedoms* in 1982 and, in particular, the Supreme Court decision *Osborne v. Canada* (1991), significantly changed the landscape for the political activities of public servants. In *Osborne*, a majority of the Court ruled that public servants had a right to engage in political activities while maintaining the principle of an impartial public service.

- 4.6 The result was a reaffirmation in the current PSEA that non-partisanship is a core value of the public service and that appointments must be free from political influence. In addition, Part 7 of the Act explicitly permits public servants to engage in political activities as long as the activities do not impair, or are not perceived as impairing, their abilities to perform their duties in a politically impartial manner. It also establishes an enhanced regime for the PSC to oversee the political activities of public servants.

Non-partisanship in staffing

- 4.7 The PSC continues to ensure that appointments to and promotions within the public service are made free from political influence. Over the course of 2008-2009, no cases of political influence in staffing were brought to the attention of the PSC.

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Part 7 of the *Public Service Employment Act*

- 4.8 Part 7 of the PSEA outlines the regime governing political activities for public servants. It balances the right of public servants to engage in political activities with the principle of political impartiality of the public service. Public servants may engage in any political activity (as defined by the Act) as long as it does not impair, or is not perceived as impairing, their ability to perform their duties in a politically impartial manner.
- 4.9 Part 7 applies to employees in federal organizations that are subject to the PSEA and for which the PSC has the exclusive authority to make appointments. It also applies to deputy heads and chief executive officers of other public service organizations subject to the PSEA, and to certain separate agencies whose enabling legislation provides that the political activities provisions of the PSEA apply to their employees (i.e. the Canada Revenue Agency, the Parks Canada Agency, the Canadian Institutes of Health Research, the Financial Transactions and Reports Analysis Centre of Canada, the National Film Board of Canada and the Public Service Staffing Tribunal).
- 4.10 Political activity, as defined in section 111 of the PSEA, means:
- Carrying on any activity in support of, within or in opposition to a political party;
 - Carrying on any activity in support of or in opposition to a candidate before or during the election period; or
 - Seeking nomination as or being a candidate in an election before or during the election period.

- 4.11 The political activities of deputy heads are limited to voting. However, deputy heads play an important leadership role in ensuring that the public service is professional and non-partisan.
- 4.12 Employees seeking nomination as, or being, candidates in an election must first seek permission from the PSC.
- 4.13 Employees carrying out activities not related to candidacy are responsible for examining their own specific circumstances in order to determine whether or not they can engage in a given activity. Some examples of political activities not related to candidacy include becoming a member of a political party; contributing funds to a political party or candidate or attending political fundraising functions; attending political party events such as meetings, conventions, rallies, fundraising functions or other political gatherings; carrying out administrative activities for a political party or candidate, such as stuffing envelopes, answering or placing telephone calls or addressing correspondence on behalf of a political candidate or party; supporting a political party or candidate by displaying political material, such as a photo, sticker, badge, button or lawn sign; accompanying a candidate during a press conference; or organizing political events.
- 4.14 While public servants have the right to engage in political activities under the PSEA, the PSC may investigate allegations that federal public servants are engaged in political activities that impair, or that are perceived as impairing, their ability to perform their duties in a politically impartial manner. In cases where the allegations are founded, the PSC may order corrective action, which could include dismissal. If a person who is or was a candidate in an election makes an allegation that a deputy head was engaged in political activities other than voting, the PSC may conduct an investigation. If the allegation is substantiated, under section 119 of the Act, the PSC is required to report its conclusions to the Governor in Council, who can dismiss the deputy head.

Political candidacy

- 4.15 Under the previous PSEA, political activities included candidacy at the federal, provincial and territorial levels. Prior to the coming into force of the current PSEA, the PSC's role in federal, provincial and territorial elections was to grant leave if it was convinced that the "usefulness to the public service of the employee in the position the employee then occupies would not be impaired by reason of that employee having been a candidate" (subsection 33(3) of the former PSEA). With the current PSEA, the PSC's role in political activities was expanded to include municipal elections and the PSC was given more authority and flexibility to grant permission, with or without conditions, and leave of absence without pay (LWOP), if applicable.
- 4.16 Table 10 outlines the PSEA requirements and the PSC's role related to candidacy in elections. Public servants who want to seek nomination as, or be, candidates in a federal, provincial, territorial or municipal election must obtain permission, as well as a LWOP, if applicable, from the PSC prior to declaring their candidacy and undertaking candidacy-related activities. The PSC reviews each candidacy request on its own merits.

Table 10 – Public Service Employment Act requirements related to candidacy in elections

	Federal, provincial or territorial elections	Municipal elections
Seeking nomination before or during election period	PSC permission required*	PSC permission required*
Being a candidate before election period	PSC permission required*	PSC permission required*
Being a candidate during election period	PSC permission and LWOP required	PSC permission required**
Effect of being elected	Requestor ceases to be an employee	PSC may make permission conditional on the following: • employee taking LWOP; or • requestor ceasing to be an employee.

The PSC may make permission conditional on the employee taking a LWOP:

* for the period or any part of the period in which the employee seeks nomination as a candidate, or for the period or any part of the period in which the employee is a candidate before the election period, as the case may be; or

** for the period in which the employee is a candidate during the election period.

Note: In cases where the PSC has concerns about the type of work performed or the specific files processed by the employee, operational work arrangements could be required by the department or agency.

- 4.17 **Political candidacy requests** – In 2008-2009, the PSC received 54 new requests for permission to seek nomination as, or to be, a candidate in an election. This represents a 20% increase from last year, when 45 new requests were received. The following table illustrates the disposition of requests submitted by public servants.

Table 11 – Status of requests (April 1, 2008 to March 31, 2009)

Level of election	Carried forward from 2007-2008 Permission granted in 2008-2009	NEW CANDIDACY REQUESTS RECEIVED IN 2008-2009					TOTAL 2008-2009 new candidacy requests
		Permission granted	Permission previously granted still applies	Permission not granted	Requests withdrawn prior to PSC review	Requests pending PSC review	
Federal	0	9	0	2	1	0	12
Provincial	0	0	0	0	1	0	1
Territorial	0	0	0	0	0	0	0
Municipal	7 (2 LWOP)	29*	3	0	5	4	41
TOTAL	7	38	3	2	7	4	54

Source: PSC Internal Tracking System

* All requests were granted permission without the condition of taking a LWOP

- 4.18 Municipal election requests once again represented the majority (41 of 54, or 76%) of new candidacy requests received from employees during the fiscal year. Of the 36 employees who received permission to be candidates for municipal elections in 2008-2009, only 2 (6%) had the condition of a LWOP if elected.
- 4.19 In 2008-2009, as in the previous year, the PSC reviewed complex situations such as the following:
- Working with organizations to identify the appropriate operational work arrangements, when there were concerns about the nature of work related to the specific functions of an employee; and
 - Reviewing the situation of employees who changed duties during the course of their elected municipal mandates. The PSC reserves the right to reconsider permission and/or conditions granted in light of any changes. In one situation, an employee changed both organization and functions. The PSC reviewed the employee's situation to ensure that continuing to be an elected municipal official did not impair or could not be perceived as impairing the employee's ability to perform his/her new duties in an impartial manner.

- 4.20 Under its legislative responsibilities, when reviewing candidacy requests, the PSC must balance the right of employees to engage in political activities with the principle of a politically impartial public service. To achieve this balance, factors such as the nature of the election, the nature of the employee's duties and the level and visibility of the employee's position are considered. To render a decision, the PSC requires both sufficient information and time to consider each candidacy request on its own merits. Sufficient time is required to properly deal with requests, to obtain clarification on necessary information or to explore operational work arrangements with the employee's organization. The *Political Activities Regulations* require that candidacy requests be submitted to the PSC for review no later than 30 days before the date by which the employee requires a decision from the PSC.
- 4.21 In 2008-2009, 28 of the 54 new candidacy requests (52%) were received by the PSC within less than the 30 days provided in the Regulations. For two federal candidacy cases, the PSC was not provided the full 30-day period required to obtain and consider the required candidacy documentation and information. Consequently, these federal candidacy requests for permission were not granted, as the PSC did not have sufficient time to assess the requests, consider alternate operational work arrangements and render a decision.
- 4.22 **Federal election** – A federal election was held on October 14, 2008. This was the first federal election period in which candidacy requests for permission and LWOP were reviewed and granted under the current political activities regime. For the previous federal election, in 2006, candidacy requests were received and assessed under the former PSEA.
- 4.23 Candidacy requirements for public servants existed under the former PSEA for federal, provincial and territorial elections. However, for elections under the previous Act, public servants had to obtain a LWOP from the PSC at the outset in order to seek nomination as, or to be, a candidate.
- 4.24 Under the current Act, the PSC has the discretion to decide, for federal, provincial and territorial elections, whether a public servant who has received permission to seek nomination as or be a candidate is required to take a LWOP, before the election period. During the election period, however, all public servants who have received permission to be candidates must be on LWOP. If the risk to the impartiality or perceived impartiality of the public service cannot be mitigated with the department or agency through an alternate operational work arrangement or a LWOP, the PSC may deny the request to seek nomination as, or to be, a candidate.

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...the PSC has
undertaken to
streamline its approach
to municipal
candidacy requests.

- 4.25 For the fall 2008 federal election, 23 employees requested permission from the PSC to seek nomination as, or to be, candidates and for a LWOP during the election period. However, only eight employees who had received PSC permission and LWOP registered as candidates with Elections Canada. Employees who were granted permission and LWOP but subsequently were not registered as candidates had various reasons, including withdrawing their request, declining the PSC's conditions, deciding not to seek nomination and/or be a candidate or being unsuccessful in winning their party's nomination.
- 4.26 Furthermore, there were some situations in which public servants did not request the PSC's permission prior to seeking nomination or becoming candidates, as well as situations in which public servants who were federal candidates remained at work during the election period. Such situations were referred for investigation. In all cases investigated, the allegations of improper political activity were determined to be founded. In two of these cases, the PSC ordered, as corrective action, that the public servants be suspended for the period in which they had worked during the election period without being on LWOP.
- 4.27 **Municipal elections** – The current PSEA extended the requirement that public servants obtain permission from the PSC for candidacy in municipal elections. Since its implementation, 147 of 202 candidacy requests received (73%) have been for permission to be candidates in municipal elections. For the majority of municipal candidacy requests, the PSC has granted permission.
- 4.28 The PSC has used its authority under the PSEA to make permission conditional on an employee taking a LWOP before the election period, during the election period or for the duration of the elected mandate. In addition, the PSC has also required that organizations implement alternate operational work arrangements if there were concerns about the nature of work or the specific functions of an employee. Of the 125 municipal candidacy requests that were granted permission, the PSC required such conditions in 54 instances.
- 4.29 By the end of fall 2009, all provinces and territories will have held municipal elections under the current political activities regime, including Newfoundland and Labrador (September 29, 2009) and Quebec (November 1, 2009).
- 4.30 In light of the experience gained in the last three years, the PSC has undertaken to streamline its approach to municipal candidacy requests. It is expected that this streamlining will facilitate the timely review of candidacy requests while ensuring that the PSC fulfills its mandate to safeguard a politically impartial public service.

Investigations into political activities

- 4.31 Under the PSEA, the PSC has the exclusive jurisdiction to investigate allegations of improper political activity. In 2008-2009, the PSC received 22 allegations of improper political activity. This figure is comparable to the 20 allegations received in 2007-2008.
- 4.32 In 2008-2009, 17 investigations were completed. In all cases except one, employees were found to have engaged in political activities contrary to the PSEA. Corrective actions were implemented on a case-by-case basis and included the following:
- Subsequent assessment of permission requests;
 - Letters to employees and/or organizations to remind them of their obligations pursuant to Part 7 of the PSEA;
 - Development of plans to improve communication with employees, particularly those without access to computers, in a remote location and/or seasonal employees, about the political activities regime;
 - Suspension without pay for the period in which the employee worked during the electoral period without being on LWOP; and
 - Written reprimands to employees.
- 4.33 In most of these cases, the investigations concluded that individuals had run as candidates in municipal — and some federal or provincial — elections without seeking the necessary permission from the PSC. However, the PSC also discovered that communication from organizations to employees regarding their obligations to seek permission was inconsistent or, in some cases, non-existent. This issue was raised in outreach activities with organizations, and the PSC will continue to raise this issue with organizations should the trend continue. Summaries of PSC investigations may now be found on the PSC's Web site.
- 4.34 The PSC also receives allegations related to political activities of public servants that are not related to candidacy. These cases are particularly challenging in that activities not related to candidacy take many forms. While employees are free to engage in political activities, activities must still be examined on a case-by-case basis to assess whether or not they would impair, or be perceived by others as impairing, the employee's ability to perform their duties in a politically impartial manner. It is important to note that anyone may put forward an allegation of improper political activity against a federal public servant.

In most of these cases, the investigations concluded that individuals had run as candidates... without seeking the necessary permission from the PSC.

- 4.35 The PSC received two such allegations in 2008-2009. One investigation has been concluded with a finding that the allegation was unfounded. The second investigation has determined that the allegation was founded, and the PSC took corrective action. The two cases are described as follows:

Case 1:

The PSC conducted an investigation into allegations of improper political activities when a senior government official considered possible employment with the Office of the Leader of the Opposition. The issue was whether the activity was a permissible political activity and whether engaging in a political activity could impair, or be perceived as impairing, the employee's ability to perform their duties in a politically impartial manner.

The investigation concluded that no violations of the PSEA had occurred. The investigation also concluded that consideration of an offer of employment from a political party is not an improper political activity, as it is not considered an activity "in support of" a party, as defined under the PSEA. Despite the fact that the employee's acceptance of the employment offer was not contrary to the PSEA, the moment such information is publicly disclosed, it enters the political realm and, potentially, the realm of political controversy.

Case 2:

The PSC conducted an investigation to determine whether a junior-level employee at the Privy Council Office had engaged in an improper political activity by openly supporting a political party on a social networking Web site. The question examined was whether the support of a political party in such a manner could impair or be perceived as impairing the employee's ability to perform their duties in a politically impartial manner.

In order to answer this question, three factors were considered: the nature of the employee's duties; the nature of the political activities; and the level of visibility of the employee, including consideration of the mandate of the organization for which the employee works.

The investigation concluded that the employee had engaged in improper political activities contrary to subsection 113(1) of the PSEA. Although the evidence did not show that these political activities impaired the employee's ability to perform their duties in a politically impartial manner, the activities could be perceived as such. As the allegation of engaging in political activities was founded, further intervention on the part of the PSC was warranted.

The Commission ordered that:

- A letter be sent to the employee to remind them of their obligations with regard to political activities, in particular that the employee may not engage in any political activities that impair or could be perceived as impairing their ability to perform their duties in a politically impartial manner;
- The Privy Council Office review the orientation it provides to new employees and the information it provides to its current employees regarding political activities, to emphasize the Privy Council Office's particular mandate and organizational context;
- The Privy Council Office review the manner in which it documents its files on political activities; and
- The Privy Council Office report to the Commission on the results of these preceding corrective actions.

...applications for leave without pay must clearly identify "the reason for the absence, such as to accept employment in the office of a minister, a minister of State, a secretary of State, or member of Parliament"...

- 4.36 **Movement of ministers' staff** – Prior to December 2006, the PSEA provided select staff employed in the office of a minister, or in the office of the Leader of the Opposition in the Senate or the office of the Leader of the Opposition in the House of Commons, with a priority entitlement for appointment under certain circumstances. When the *Federal Accountability Act* (FedAA) received Royal Assent on December 12, 2006, it repealed the section of the PSEA related to this entitlement.
- 4.37 The FedAA amended the PSEA to allow ministers' staff, or the staff working in the office of the Leader of the Opposition in the Senate or Leader of the Opposition in the House of Commons, to participate in internal advertised appointment processes open only to employees of the federal public service, for a period of one year upon ceasing to be employed in these offices after having worked in one of them successively for at least three years (section 35.2 of the PSEA).
- 4.38 The PSC retained the authority to confirm whether former ministers' staff meet the criteria to participate in internal advertised appointment processes. The PSC has put in place mechanisms to ensure that the provision is managed appropriately and to allow those entitled to have access to internal advertised job processes. As of March 31, 2009, the PSC had not received any requests to confirm eligibility for this mobility provision for former ministers' staff.
- 4.39 In October 2007, the PSC's *Audit of the Movement of Public Servants between the Federal Public Service and Ministers' Offices* identified gaps in the policy framework governing such movement. The PSC committed to working with central agencies to determine the best approach to mitigate the real or perceived risks to non-partisanship as well as to clarify its guidance for the movement of public servants to and from ministers' offices.
- 4.40 In 2008-2009, the PSC provided input to the Treasury Board of Canada Secretariat on the draft "Directive on Leave and Special Working Arrangements." The PSC requested that there be more specific requirements related to monitoring such cases as part of its effort to protect the political impartiality of the public service, both real and perceived. The "Directive on Leave and Special Working Arrangements" that came into effect on April 1, 2009 indicates that applications for leave without pay must clearly identify "the reason for the absence, such as to accept employment in the office of a minister, a minister of State, a secretary of State, or member of Parliament" and that "Heads of human resources must ensure that systems or procedures are in place to track the reason for leave without pay."

- 4.41 In addition, 24 files were referred to the PSC as a result of the audit. After assessing the criteria for investigations, no further action was taken in 18 of these cases. Of the six remaining files, one was investigated under section 66 of the PSEA and the remainder were investigated under section 7.1 of the former PSEA, as they related to appointments prior to December 31, 2005.
- 4.42 All investigations were completed by 2008-2009 and all were founded. Findings in the investigations included:
- That a department had tailored a job description to fit an individual's qualifications;
 - That departments had improperly evaluated individuals' qualifications; and
 - That policy requirements of specific programs (e.g. the Special Assignment Pay Plan) were not respected.
- 4.43 Corrective action was taken in three cases but the PSC decided not to take corrective action in the remaining three cases as individuals had qualified in subsequent external processes, or they were no longer with the department. The corrective action taken included one revocation and two re-assessments of qualifications, training and letters from the PSC to the deputy heads to remind them of the distinction between the roles of minister's offices and the public service.

Increased communication needed

- 4.44 In order to ensure compliance with the Act, public servants need to have an understanding of their legal obligations regarding elections and the role of the PSC in granting permission. Communicating these obligations to employees is particularly challenging when they do not have access to electronic messages or when they are seasonal employees.
- 4.45 Both the PSC and organizations are making concerted efforts to inform employees of their rights and obligations. This includes using other venues to reach federal employees, such as through Web sites of provincial authorities responsible for municipal elections and through municipal associations. The PSC will continue to remind departments and agencies of their responsibility to effectively inform all employees of the need to seek PSC permission, particularly those in regional offices who may not have access to a computer as part of their job requirements.

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- 4.46 Another challenge of communicating requirements to employees is that activities not defined in the PSEA are subject to the *Values and Ethics Code for the Public Service* or the respective values and ethics codes for organizations for which the Treasury Board of Canada is not the employer. While the *Values and Ethics Code for the Public Service* uses similar terms, such as political neutrality and objectivity, the definitions, scope and application are not clear. The *Federal Public Servants Disclosure Protection Act* requires that the Treasury Board establish a new Federal Public Sector Code of Conduct that will apply to the entire federal public sector, including to Crown corporations. This new code will replace the existing *Values and Ethics Code for the Public Service* and any applicable codes for organizations for which the Treasury Board of Canada is not the employer.
- 4.47 The PSC has provided input to the Chief Human Resources Officer, recommending a strengthening of non-partisanship and political impartiality in the Code. The PSC has recommended that the Code explicitly indicate that the PSC is responsible for overseeing the involvement of public servants in political activities, including taking corrective action, where appropriate, and providing guidance to public servants who are covered by Part 7 of the PSEA.

Non-partisanship in the 21st century

- 4.48 A permanent, professional and non-partisan public service is vital to Canada's system of democracy. It provides a measure of stability and ensures peaceful and orderly political succession, maintaining stable operations and uninterrupted services for Canadians. Canadians need to be confident that public servants administer, and are perceived as administering, programs and services in a professional and non-partisan manner.
- 4.49 Today, the challenge of ensuring a non-partisan public service is becoming more complex. The demographic changes brought about by the ongoing retirements of "baby-boomers" and the large number of new recruits are creating a cultural change in the public service. Technological innovations, new ways of communicating through social networking Web sites and a greater use of telework blur the distinction between the professional and private lives of employees and provide new risks to the non-partisan character of the public service.
- 4.50 In addition, the PSEA does not cover all activities that could be perceived as inappropriate, as they do not fall within the definition of political activities in the Act. Involvement in outside causes or advocacy activities may pose real or perceived conflicts of interests with a public servant's professional role, even if those activities do not qualify as political activities as defined in the PSEA. On the other hand, past political experience may constitute a legitimate requirement for a position given the nature of the work to be

performed, rather than a risk to non-partisanship. What is more, the many decisions that are made about what is appropriate behaviour and what is not have cumulative impacts on the political impartiality, real and perceived, of the public service as an institution, not simply of individual public servants.

- 4.51 These factors, combined with particular cases brought to the attention of the PSC over the past year, highlight the pressing need for a broad dialogue on the theme of non-partisanship in the 21st century. The PSC intends to launch such an initiative in 2009-2010. The initiative will examine what a non-partisan public service should look like in the years ahead, what behaviours should be expected and what mechanisms and approaches can best ensure that Canadians continue to benefit from a public service that is based on the core values of both merit and non-partisanship. In so doing, the PSC will deepen its knowledge and play a leadership role regarding what is required to continue to safeguard the non-partisan character of the public service in the decades ahead.

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Chapter 5

Management of staffing in departments and agencies



5 Management of staffing in departments and agencies

- 5.1 The Public Service Commission (PSC) uses a continuum of tools to ensure that deputy heads exercise their delegated authorities appropriately and adhere to the values of the *Public Service Employment Act* (PSEA). The main tools include a monitoring function based on the Staffing Management Accountability Framework (SMAF), audits and investigations of the public service staffing system and the implementation of corrective actions, when required. In addition, evaluations and studies are conducted to provide more information on issues or trends identified within the staffing system.
- 5.2 The PSC expects deputy heads to put in place their own management framework based on the SMAF. The SMAF sets out the key areas for a well-managed appointment system and assesses the effectiveness of the PSEA and adherence to the appointment values. Deputy heads are also expected to actively monitor the application of their delegated authorities to ensure compliance. Furthermore, they must report annually to the PSC on their performance using a Departmental Staffing Accountability Report (DSAR). In the DSAR, organizations are asked to self-assess with respect to specific questions linked to the assessment criteria, in order to reduce their reporting burden.
- 5.3 In terms of its monitoring exercise, the PSC assesses organizational performance annually in order to provide feedback and recommendations to deputy heads. Subsequently, the PSC conducts follow-ups to ensure that deputies are working towards staffing system improvements based on the PSC's recommendations.
- 5.4 The PSC's annual assessment of organizational performance is informed by PSC operational statistics and the DSARs. The overall results are presented in this chapter of the PSC's Annual Report to Parliament. The results are also used in the development of the PSC's audit, evaluation and studies plan. The content of certain organizational assessments is also shared with the Committee of Senior Officials (COSO) for the performance appraisals of deputy heads.
- 5.5 The SMAF identifies four factors that are key to the success of the PSEA:
- Delegation of staffing to deputy heads;
 - Human resources (HR) planning and integration with business planning;
 - Organizational HR support systems; and
 - Managerial accountability for results.

- 5.6 The expectation is that progress on these key success factors will lead to improvements in achieving the results intended by the PSEA. Specifically, annual improvements in the four key success factors should be a sound predictor of improvements in seven results areas (e.g. flexibility and efficiency) as well as the six core and guiding values of merit, non-partisanship, access, transparency, fairness and representativeness. PSC analysis of data comparing the key success factors with the results areas shows support for these relationships.
- 5.7 The PSC's assessment of staffing performance for 2008-2009 was based on its evaluation of the staffing performance of 76 departments and agencies. Six organizations were not assessed, as they were either undergoing a staffing audit or had just been created. Of the assessed organizations, 20 were large (more than 2 000 employees) and represented 80% of the PSEA population.
- 5.8 Departments and agencies were assessed individually based on up to 26 of 37 possible performance indicators. These indicators were consolidated into the 11 performance areas (i.e. the four key success factors and the seven results presented in the SMAF). In last year's Annual Report, specific indicators were selected for reporting on the key success factors. This year, all lines of evidence available to the PSC were used to improve precision and reflect raised expectations in some areas.⁹
- 5.9 In making the assessment of organizational performance, the PSC assigned four possible ratings to each area:
- Strong management performance (consistent with DSAR requirements plus innovative or noteworthy practices);
 - Acceptable management performance (consistent with the requirements outlined in the DSAR assessment criteria);
 - Opportunities for management to improve (some DSAR criteria are met); and
 - Requires management attention (key DSAR criteria are not met or no criteria are met).
- 5.10 In 2008-2009, the PSC's monitoring exercise specifically focused on the key success factors for all organizations, and then targeted the 40% of organizations identified as having weaker performance with respect to each of the operational statistics. In assigning a rating, the PSC assessed whether the statistical results appeared reasonable, given the organization's operating context. If not, the PSC assessed whether the organization's senior management was aware of the results and was responding to them (e.g. through monitoring,

⁹ Note that last year's results have been revised to reflect the new methodology in this Annual Report.

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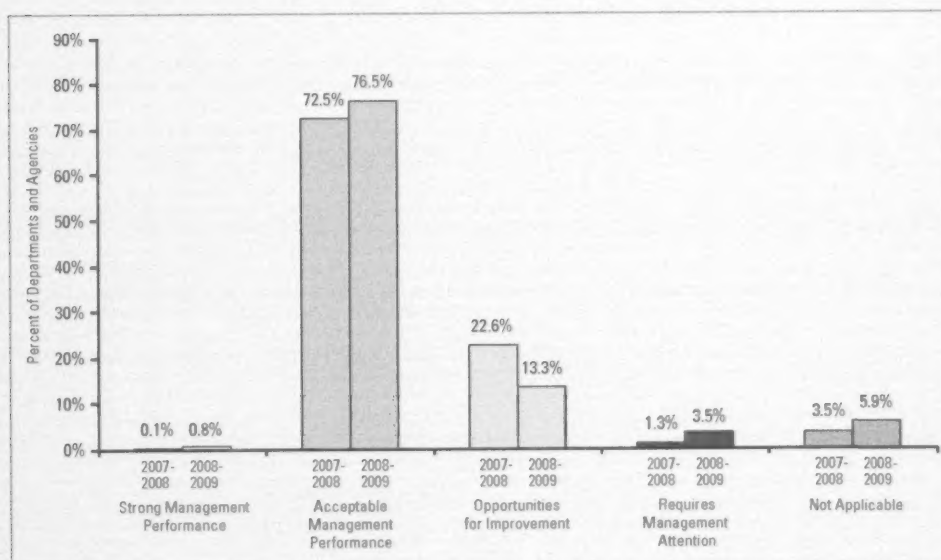
changing strategies or identifying measures in the HR plan). The PSC considered the remaining 60% of organizations to be acceptable in the particular performance area.

- 5.11 The performance measures for each of these areas are identified in Appendix 3: Staffing Management Accountability Framework.

Overall progress in key change areas

- 5.12 Figure 8 shows that the majority (approximately 77%) of the key success factors and results areas reviewed across departments and agencies for 2008-2009 were assessed as acceptable, in that the organizations demonstrated performance consistent with the ADAI requirements. This represents an improvement of about four percentage points over last year's performance.
- 5.13 This year, 0.8% of the performance areas were found to have strong management performance, an increase compared to 2007-2008.
- 5.14 In spite of this progress, about 17% of the performance areas across departments and agencies were assessed as requiring improvement (i.e. opportunities for improvement or requires management attention). HR planning that focuses on staffing strategies, organizational HR support systems and managerial accountability for results are key success factors that are still in need of improvement.
- 5.15 The PSC reviewed the overall results to determine whether there was variation based on organizational size. While there was no major difference between the performance of large and small organizations, medium-sized organizations seemed to have slightly more difficulty meeting the PSC's expectations.

Figure 8 – Overall assessment of key success factors and results areas across all departments and agencies



Source: PSC 2007-2008 – 2008-2009 DSAR assessment results

- 5.16 In 2008-2009, the PSC conducted further analysis on the links between improved staffing performance in these results areas and achieving the objectives of PSEA and a values-based staffing system. As indicated in Table 12, organizations that have better performance in HR planning, organizational HR support systems or managerial accountability tend to have better results with respect to efficiency and effectiveness, such as shorter times to staff and less reliance on short-term reactive approaches (e.g. acting appointments, casuals or non-advertised processes).
- 5.17 Further improvement depends on organizations putting more effort into the systems and tools required for the ongoing planning and monitoring of their staffing approaches, as well as assigning the appropriate HR resources to meet staffing needs. The PSC will continue its analysis to enhance its understanding of how organizations can increase staffing efficiency and use less reactive staffing approaches.

Table 12 – Organizational performance in specific areas linked to achievement of better results

Organizations that have better performance in:	tend to have more efficient staffing processes resulting in:
• HR planning and staffing • HR support • Managerial accountability	• Shorter time to staff
	or tend to rely less on short-term reactive approaches such as: • Acting appointments • Casuals • Non-advertised processes

Delegation of staffing to deputy heads

Organizations have implemented mechanisms to ensure that they are able to manage their delegated authorities appropriately.

5.18 In its 2007-2008 Annual Report, the PSC described the public service as “functionally operating under a fully established delegated staffing regime.” Even so, the PSC continues to monitor the way in which organizations are managing their delegated authorities. Organizations are required to ensure that sub-delegated managers receive continuous learning in staffing and to monitor staffing decisions to ensure that they conform to the requirements of the PSEA, policies and staffing values.

5.19 In 2008-2009, 97.3% of organizations had acceptable or strong performance with respect to the implementation of their sub-delegation framework for the management of staffing. These results suggest that organizations have set up the necessary mechanisms to manage their delegated authorities effectively. One organization provided examples of the importance it places on the sub-delegation of its staffing authorities. That organization responded to concerns identified as a result of its own organizational monitoring by removing the sub-delegated authority of two implicated managers. Additionally, a letter of reprimand was placed on a third manager’s file.

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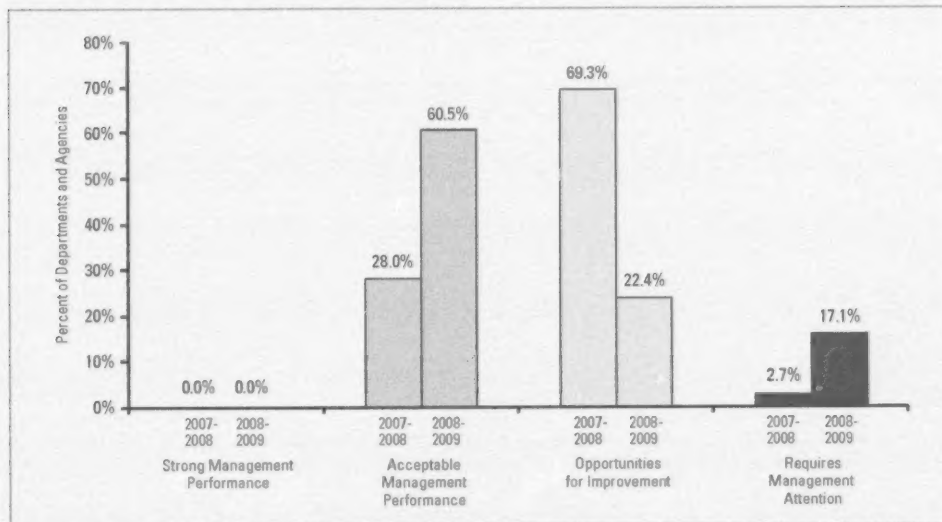
- 5.20 Over the course of 2008-2009, two organizations continued to operate with the additional conditions that had been imposed in previous years: the Office of the Correctional Investigator and the Canadian Space Agency. Following improved staffing performance, the PSC was able to lift certain conditions that had been imposed on the Canadian Space Agency. The PSC's follow-up audit of the Office of the Correctional Investigator resulted in the removal of all conditions.
- 5.21 In the summer of 2008, the PSC conducted a follow-up audit of the staffing of the Commission for Public Complaints Against the Royal Canadian Mounted Police (CPC). As the CPC was found to have improved its staffing systems and practices over the past three years, the PSC lifted all conditions that had been imposed on its delegation instrument.
- 5.22 In light of its audit findings, in 2008-2009 the PSC imposed additional conditions on only one organization, the Royal Canadian Mounted Police (RCMP). Four other staffing audits were conducted during 2008-2009 that will result in conditions being imposed on some of these organizations.
- 5.23 Appendix 4 identifies the conditions that have been imposed by the PSC in the organizational ADAs.

Human resources planning and integration with business planning

Organizations need to continue to improve their planning of staffing strategies with a focus on respecting the values. Strategies that include measurable objectives will strongly contribute to accountability for the results.

- 5.24 Based on the PSC's analysis, the integration of HR planning with business planning is central to producing a more effective and efficient staffing system that supports the values. This year, the PSC raised its expectation of organizational performance in this area and required organizations to have one integrated HR plan for the entire organization in order to facilitate their planning of staffing processes.

Figure 9 – Human resources planning and staffing



Source: PSC 2007-2008 – 2008-2009 DSAR assessment results

5.25 Acceptable performance was demonstrated by 60.5% of organizations with respect to integrated planning that provides direction for staffing and results in staffing strategies with measurable objectives. Figure 9 illustrates a considerable improvement from the previous year, when only 28% of organizations had acceptable performance. Last year, reporting was based on the assessment of staffing strategies without considering senior management direction (as was done this year). Regardless of the methodology, there has been an improvement in this area.

5.26 This year, the PSC found that HR plans were more fully integrated and set out staffing direction and strategies more clearly so that organizations can measure progress. Organizations were also found to be studying their workforces and identifying gaps that may affect their ability to fulfill their mandates.

5.27 However, effective planning must be iterative and, while many organizations improved their performance, 40% of them still had less than acceptable performance. These results are of concern. The number of organizations that require management attention has increased by about 14 percentage points. A key area for improvement is the development of staffing strategies that indicate the way in which staffing will be conducted and that includes measurable performance objectives.

...the PSC found that HR plans were more fully integrated and set out staffing direction and strategies more clearly so that organizations can measure progress.

One organization demonstrated strong performance with respect to transparency and engaging employees in the HR planning process. **Western Economic Diversification Canada** created a Succession Planning Toolkit enabling employees to obtain information on what is needed to further their careers, and partnered with unions to create an employee survey to obtain feedback about the toolkit. The results were presented to union members, management and employees.

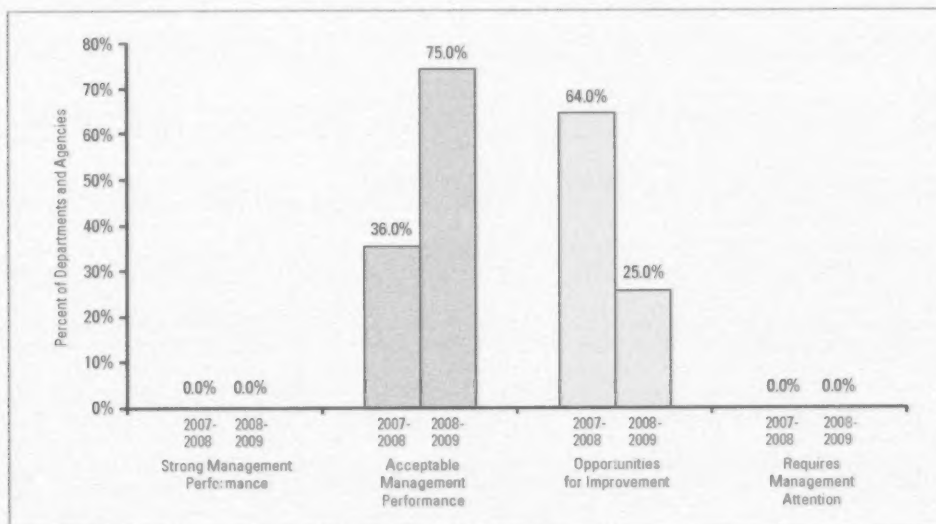
Organizational human resources support systems

There is opportunity for organizations to improve their performance by developing targeted staffing approaches and more effectively engaging the necessary HR support.

- 5.28 With the delegation of staffing authorities to deputy heads and heads of agencies, organizations have the authority to plan and use the types of processes that allow them to better meet their strategic objectives and carry out their HR plans and staffing strategies.
- 5.29 Deputy heads must ensure that their sub-delegated managers have access to HR advisors with the necessary staffing expertise and that they have effective information and supporting systems to support decision making and monitoring.
- 5.30 Last year, the PSC reported on hiring managers' satisfaction with the quality of staffing services. This year, the PSC is reporting on additional lines of evidence, including the capacity of HR support and the learning provided to staffing advisors was also considered in reporting on performance as well as managers' satisfaction with both the quality of staffing services and staffing information systems. The results show that there has been a significant increase in the number of organizations assessed as acceptable (75% in 2008-2009 compared to 36% in 2007-2008, based on the same methodology). However, 25% of organizations still have opportunities for improvement with respect to HR support overall. Seven large organizations, representing 40.4% of the PSEA universe, reported that the perception of sub-delegated managers was that better support was required from their staffing advisors and systems.

...there has been a significant increase in the number of organizations assessed as acceptable....

Figure 10 – Human resources support systems



Source: 2007 PSC 2007-2008 – 2008-2009 DSAR assessment results

- 5.31 Since last year, organizations have increased the capacity of Personnel Administration (PE) officers to address their staffing needs. As of March 31, 2009, the number of employees in the PE group had increased by 5% over the previous year. Departments and agencies reported that they are providing staffing advisors with the ongoing learning necessary to develop their expertise and to enable them to provide effective staffing services to managers.
- 5.32 However, there is still a significant amount of movement within the PE group. Mobility to and within the PE group was 71% in 2008-2009, down only slightly from 74% in 2007-2008.

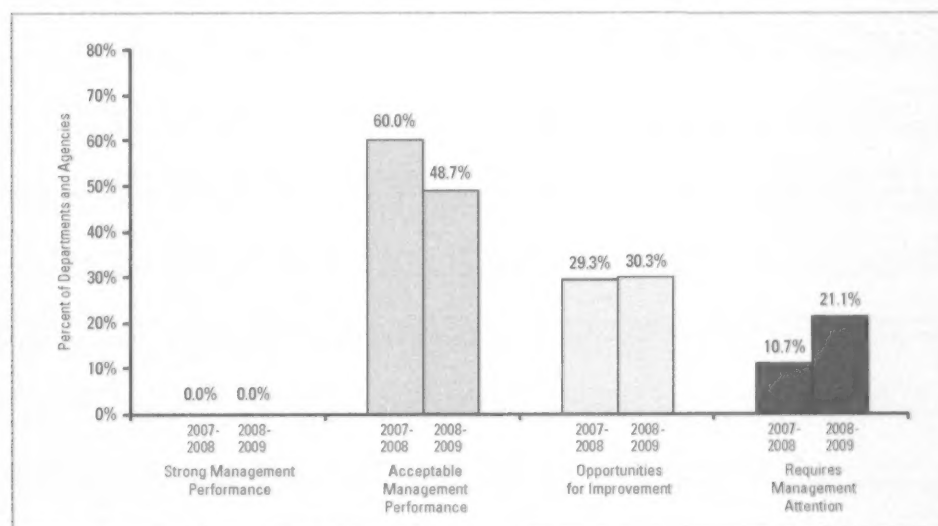
Transport Canada was assessed as having a strong performance in organizational HR support systems. In addition to providing continuous training on staffing to its HR advisors, Transport Canada established a national strategy to develop the community, including the development of staffing tools, guides and info sessions. Transport Canada also developed a memorandum of understanding with the Canada School of Public Service to have staffing courses in-house. Other organizations were invited to participate in this training.

Managerial accountability for results

There is significant opportunity for improvement in managerial accountability for results whereby managers compare results to plans and adjust their HR plans to address identified problems.

- 5.33 The ADAI requires that deputies be accountable to the PSC for the proper use of their delegated authorities, and that their performance be monitored on an ongoing basis.
- 5.34 Deputy heads are also expected to develop their own accountability systems for their sub-delegated authorities by establishing active monitoring practices. They are expected to comply with the PSC's reporting requirements, to collaborate with other PSC oversight requirements, such as audits, investigations and studies, and to make improvements where deficiencies are identified.
- 5.35 Because of the importance of accountability, in 2008-2009 the PSC raised its expectations of organizational performance in this result area. The PSC required organizations to provide evidence demonstrating that they conducted a variance analysis comparing actual staffing to planned staffing, that action plans had been developed and that improvements had been made. The PSC also expects organizations to respond to PSC recommendations and to demonstrate improvement with respect to all recommendations.
- 5.36 The PSC's assessment of organizational performance in 2008-2009 indicates that managerial accountability for results is an area in which significant improvement is still required.

Figure 11 – Managerial accountability for results



Source: PSC 2007-2008 – 2008-2009 DSAR assessment results

Overall, the PSC found that the number of organizations with acceptable managerial accountability for results decreased from 60% in 2007-2008 to 49% in 2008-2009.

- 5.37 Overall, the PSC found that the number of organizations with acceptable managerial accountability for results decreased from 60% in 2007-2008 to 49% in 2008-2009. This decline is likely attributable to the PSC's increased expectations and more stringent assessment criteria.
- 5.38 The PSC also closely monitors actions taken in follow-up to its recommendations and results achieved. The PSC's performance assessment revealed that 37 of the 68 organizations that received recommendations after last year's assessment responded to all of the recommendations and demonstrated improvement in all recommendation areas. Of the remaining organizations, 23 acted on at least half of the recommendations and demonstrated improvement. Eight organizations could not demonstrate that they had acted on at least half of the PSC's recommendations and that there had been improvement. Organizations that responded to all recommendations also tended to demonstrate better overall staffing performance.
- 5.39 These results are of concern to the PSC. Further progress towards developing efficient staffing systems will require organizations to address identified issues in their staffing plans. This should enable organizations to plan and implement effective staffing approaches that will not only ensure compliance, but also improve their staffing performance and overall operational effectiveness.

The **Canada Industrial Relations Board** demonstrated strong performance by having no staffing performance deficiencies identified during the PSC's staffing assessment for both 2007-2008 and 2008-2009.

Efficiency and time to staff

- 5.40 Managers have various staffing options available to them that can affect the efficiency of their staffing processes. For instance, managers may decide to advertise internally to the public service only, or to broaden the area of selection to include external candidates. Managers may decide to conduct a process individually or to work with other managers who need to staff similar positions.

Collective staffing

- 5.41 Collective staffing processes are partnerships with other managers who may be in the same organization or in another federal department or agency. By working together, managers can share costs, staffing knowledge and assessment tools. Collective staffing can be particularly effective when staffing a variety of similar entry-level positions, such as clerical or administrative jobs, or when there is a need to attract a high number of candidates to create a pool of qualified candidates to staff current or future vacancies.
- 5.42 The collective staffing option is now more attractive under the PSEA because managers are no longer required to rank candidates according to their assessment results. Managers can assess additional asset qualifications to select the right individual for a specific position from all candidates who meet the essential criteria. Asset qualifications may be specific to an organization's current and future business needs, and can be different for each manager or position involved.
- 5.43 Since the implementation of the current PSEA, organizations are starting to make greater use of this staffing option. Based on notification data from Publiservice, approximately 25% of all internal advertised staffing processes have been made via collective processes.
- 5.44 In 2008-2009, the PSC conducted a Hiring Optimization Study, described in Chapter 7, which found that, for a sample of advertisements of entry-level positions (CR-3/4/5, AS-1/2), there were many similarities in the merit criteria. For example, 93% of all advertisements reviewed identified "ability to communicate" as a requirement. The study concluded that, for entry-level positions, collective approaches and common assessment tools would provide efficiencies. This would benefit not only HR professionals and hiring managers in managing the process, but also the job seeker, who could be assessed once instead of multiple times for the same merit criteria.

■ ■ ■

*...approximately 25%
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processes.*

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- 5.45 Collective staffing approaches require up-front efforts in planning, identifying essential and asset qualifications and putting in place effective HR support systems. When used appropriately, any additional time and effort involved in up-front planning is offset by the advantages of economies of scale from filling several positions or creating pools. By developing a pool of qualified candidates, managers can readily fill future positions as vacancies become available.

Measuring time to staff

- 5.46 The time it takes to staff is an important indicator of the efficiency of the staffing system. Increasing the efficiency of the staffing process can enable managers to maintain effective operations and program delivery. It also enables them to compete more effectively with other prospective employers and engage highly qualified candidates, rather than losing them due to delays.
- 5.47 Efficient staffing processes also minimize the need for managers to use alternate or temporary staffing options, such as casual employees or term appointments, when the work is of an indeterminate nature.
- 5.48 Prior to the current PSEA, appointment decisions that went to an appeal process considerably extended the time it took to staff a position. The implementation of informal discussion was intended to allow employees to raise issues related to their results at the time of the decision to eliminate them from a process, and managers could correct errors and omissions in staffing processes, thereby reducing the need for, and the time involved with, a formal recourse process.
- 5.49 Other jurisdictions have set benchmarks for the time to staff positions. Exhibit 1 provides an example with respect to the United States. The End-to-End Hiring Initiative of the United States Office of Personnel Management focuses on workforce analysis and process standardization as the basis for anticipating staffing needs and assigning resources to achieve efficiencies. By setting a benchmark of 80 days, organizations can monitor their results by measuring the time required for various steps in the staffing process to identify improvements that can be made.

Exhibit 1 – End-to-End (E2E) Hiring Initiative – United States Office of Personnel Management

The United States Office of Personnel Management has a new, comprehensive and integrated approach to federal hiring to increase its capability to efficiently and effectively recruit and hire high-performing employees. One key component of the approach is its End-to-End (E2E) Hiring Initiative, which includes the following key expectations:

- Recruitment strategies are directly informed by workforce planning in order to target anticipated talent requirements;
- Position descriptions are systematically reviewed so that managers can proactively plan for vacancies and potential shifts in the composition of their workforce; and
- Workforce planning and recruitment processes are completed prior to initiating the request for personnel action, including positions ready to be staffed and the appropriate assessment tools developed.

Two challenges to the success of the road map include the availability of trained HR staff conducting various steps of the hiring process and the availability of managers dedicated to engage in the hiring process.

Success is measured by the percentage of employees hired within 80 days, as noted in the steps below.

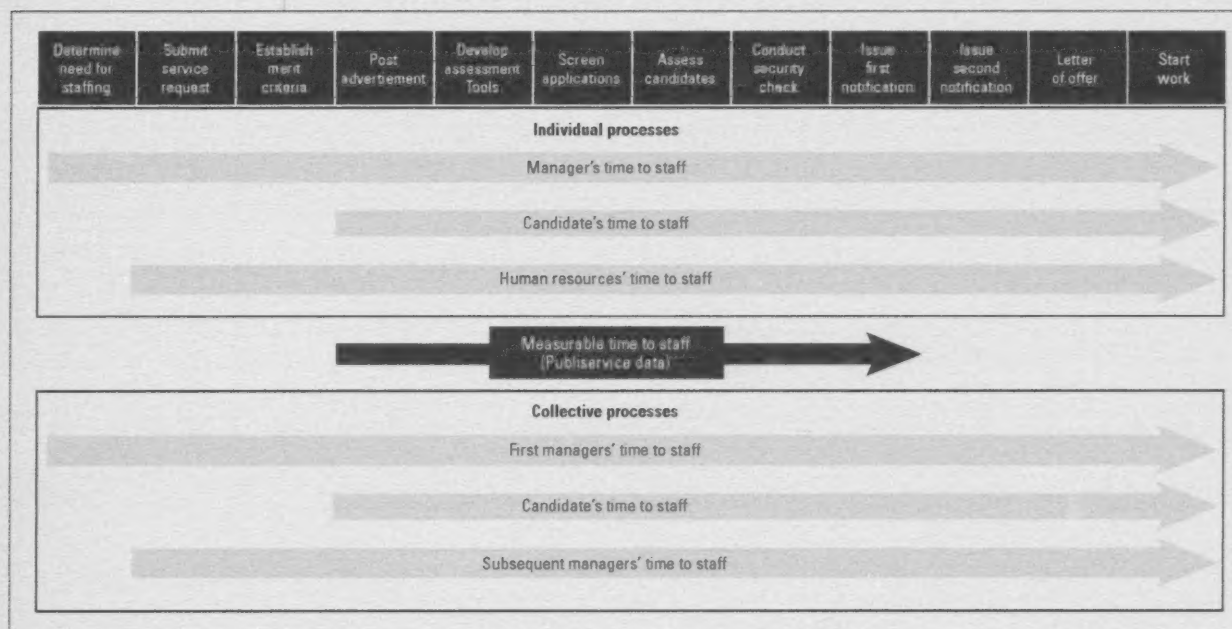
- Validate need and steps required to create and post job opportunity announcement (10 days)
- Receive applications (10 days)
- Evaluate applications (15 days)
- Select successful candidate (16 days)
- Job offer, security check and acceptance (15 days)
- Entry into duty (14 days)

Agencies may need to adjust the number of days for each step based on their particular practices and procedures.

Source: End-to-End Hiring Initiative, United States Office of Personnel Management (September 2008)

- 5.50 The perspective on the time it takes to staff a position differs depending on one's role in the process (i.e. the manager, the candidate or the HR officer). Figure 12 demonstrates these perspectives. Note that some steps can be run in parallel to achieve greater efficiency.

Figure 12 – Perspectives on time to staff by stakeholder for individual processes compared to collective processes



- 5.51 From the PSC's study *Time to Staff In the Federal Public Service (Update)*, a wide range of factors was cited by managers as affecting their perception of the elapsed time, in particular the preparation phase (prior to posting the advertisement), the availability of HR support, stakeholder knowledge, language testing and security clearances. Recourse and conflict resolution tended to be identified less often as a factor slowing the staffing process compared to the previous study, which was published in May 2006.
- 5.52 While there is still substantial variation across federal departments and agencies, the study update found that a number of factors contributed to the overall trends: external recruitment processes tend to take longer, as do collective (or generic) staffing processes.

- 5.53 The update concluded that the public service experienced a transitional period as departments and agencies passed through the learning curve of the current legislation. One of the principal sources of difficulty appears to be the efficient management of collective processes.
- 5.54 A known area that may delay the time it takes organizations to staff positions is related to the duty to accommodate requirements of the PSC's *Policy on Employment Equity in the Appointment Process* (see Chapter 3). The PSC has examined the issue and has determined that managers can proceed to appoint candidates who are found qualified before all of the candidates who require accommodation have been assessed, provided that a sufficient number of vacancies remain. The PSC will clarify its guidance in this area.

...the public service experienced a transitional period as departments and agencies passed through the learning curve of the current legislation.

Efficiency measured by time to staff

- 5.55 The PSC uses two sources of data to estimate the time it takes organizations to staff positions. On an annual basis, the PSC's Survey of Staffing collects information from hiring managers across the public service on advertised and non-advertised, internal and external processes. On an on-going basis, the PSC collects data from the Publiservice Web site, maintained by Public Works and Government Services Canada, which organizations use to advertise internal processes as well as post notifications of persons being considered for appointment and notifications of appointments. Unless otherwise stated, the numerical estimates presented in this section are based on the Publiservice data and, therefore, are restricted to internal advertised processes only in Table 13.
- 5.56 For monitoring purposes, the PSC estimates the time to staff separately for individual and collective processes.¹⁰ The PSC identifies a process as collective when there is more than one notification of appointment for a given advertisement. This approach assumes that there is only one candidate named on each notification of appointment and that any subsequent notifications are to appoint additional candidates (not the result of a candidate named in the first notification having refused the job offer).

¹⁰ For monitoring purposes, the PSC measures the time to staff as the number of calendar days between the job posting date and the date of the second notification (first notification of appointment). This measure is calculated only for internal indeterminate, term and acting processes for which the notification of appointment was posted on Publiservice during the fiscal year and the advertisement was posted on Publiservice either in the same fiscal year or up to three months prior to the fiscal year. This represents approximately 29% of processes for which notification of appointments were posted on Publiservice.

- 5.57 In 2008-2009, the PSC found that, while the average time required to staff indeterminate advertised positions increased following the coming into force of the PSEA in December 2005, it then decreased as organizations started to adapt to the new staffing regime. As reported in the PSC's recent *Time to Staff in the Federal Public Service (Update)* study based on the Survey of Appointments and Survey of Staffing, the average time required to staff an indeterminate advertised position (as measured by managers' estimate of the time elapsed between submission of the staffing request form to the date when the appointee reported to work) increased from 22.8 weeks for appointments recorded in the period January 2000 to December 2003 to 24.1 weeks for appointments in the period April 2006 and September 2007. For the period October 2007 to September 2008, it then fell to 23.5 weeks.
- 5.58 This is consistent with the findings of PSC's analysis of internal indeterminate advertised staffing processes (see Table 13) and the time elapsed between job postings and first notification of appointment, which shows that the average time to staff for distinct processes dropped from 18.9 weeks (132 calendar days) in 2007-2008 to 17.7 weeks (124 calendar days) in 2008-2009. The average time to staff for collective processes remained essentially the same, i.e. 22.1 weeks (155 calendar days) in 2007-2008 and 22 weeks (154 calendar days) in 2008-2009.

Table 13 – Average length of time for internal indeterminate staffing processes and potential for improvement

All	Distinct processes			Collective processes		
	2006-2007	2007-2008	2008-2009	2006-2007	2007-2008	2008-2009
Average time to staff (in days) ¹	121	132	124	142	155	154
Average time to staff (in days) for "best performing organizations" ²	93	102	80	100	117	106
Potential reduction in average time to staff (in days)	28	30	44	42	38	48
Potential reduction as a percent of current average time to staff	23.1%	22.7%	35.5%	29.6%	24.5%	31.2%
Large						
Average time to staff (in days) ¹	121	134	126	145	157	156
Average time to staff (in days) for "best performing organizations" ²	94	111	109	118	123	139
Potential reduction in average time to staff (in days)	27	23	17	27	34	17
Potential reduction as a percent of current average time to staff	22.3%	17.2%	13.5%	18.6%	21.7%	10.9%
Medium						
Average time to staff (in days) ¹	124	125	119	138	145	146
Average time to staff (in days) for "best performing organizations" ²	93	90	86	91	116	93
Potential reduction in average time to staff (in days)	31	35	33	47	29	53
Potential reduction as a percent of current average time to staff	25.0%	28.0%	27.7%	34.1%	20.0%	36.3%
Small						
Average time to staff (in days) ¹	111	124	106	105	125	124
Average time to staff (in days) for "best performing organizations" ²	83	85	80	82	98	86
Potential reduction in average time to staff (in days)	28	39	26	23	27	38
Potential reduction as a percent of current average time to staff	25.2%	31.5%	24.5%	21.9%	21.6%	30.6%

Source: PSC SMAF statistics

¹ Estimates derived from the average calendar days between date of advertisement to first notification of appointment

² Estimates derived from the average of lowest quartile (25%) of organizations

Potential for further progress

- 5.59 Based on an analysis of differences in performance among departments and agencies with respect to the efficiency and responsiveness of their staffing processes, there is considerable potential to reduce the time required to staff. Given the average time to staff for "best performing organizations," Table 13 suggests that reductions of up to 30% may be possible, depending on the type of process and the size of the organization.
- 5.60 The "best performing organizations" are the 25% of organizations with the lowest times to staff. For these organizations, the time to staff was an average of 80 days (11.4 weeks) overall for individual processes and 106 days (15.1 weeks) overall for "collective" processes. It should be noted that reductions in the time to staff for collective processes do not reflect all of the efficiencies that can be achieved through such approaches (such as use of resources and tools).
- 5.61 The PSC is currently examining the links between the time to staff and improved performance in the areas of HR planning that directs staffing activity, organizational HR support systems and managerial accountability for results. Preliminary analysis indicates that better organizational performance in these three areas is linked to reducing the time required to complete staffing processes and enabling more proactive staffing approaches.
- 5.62 Progress in this area, however, does not necessarily mean adding more resources. Rather, based on the PSC's assessment of organizational performance, the PSC observed that better times to staff were achieved when departments and agencies were well organized with respect to their HR management and staffing processes. When organizations were focused on accountability and assessed HR results against concrete, realistic plans and strategies, the PSC observed that times to staff were reduced by as much as 30 days compared to other organizations. The PSC also found that organizations that assigned HR staffing specialists to staffing processes achieved better results.

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...the PSC observed that better times to staff were achieved when departments and agencies were well organized with respect to their HR management and staffing processes.

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Extreme Hiring Makeover

In August 2008 the PSC conducted an Extreme Hiring Makeover. This was inspired by the work of the Partnership for Public Service (PPS), a non-profit, non-partisan United States organization that works to revitalize government and transform the way it works. Working with three U.S. federal agencies, the PPS piloted a number of innovative staffing ideas and was successful in attracting better candidates and significantly reducing the time it took to staff. The PSC adapted some the lessons learned in the U.S. pilots, in particular its project management approach to staffing, to develop and pilot its own version of Extreme Hiring Makeover.

The PSC pilot focused on establishing a staffing plan up-front and using job seeker-friendly hiring practices such as more creative, plain-language job advertisements. The pilot, which was an external staffing process, was completed in 45 days (from advertisement to offers of appointment) and resulted in five highly qualified candidates. Several elements contributed to the pilot's success:

- Up-front efforts in planning and the engagement of all stakeholders;
- Maximizing the use of electronic screening tools;
- A strong project management approach;
- A senior HR staffing officer leading the process; and
- Management agreement and support.

Other factors that contributed to the success of the pilot were the fact that the job descriptions had been recently updated, that there were no requests for accommodation by employees and that external processes do not require two notification periods once assessments have been completed (as is the case for internal processes).

Outlined below are the steps and timelines achieved in the pilot, which can be tailored to fit the particular hiring needs.

Steps in the staffing process	Days
Initial meeting held with the client	
Proposed activities outlined and project plan developed	
Statement of merit criteria and advertisement developed	
Electronic screening and assessment tools developed	
Advertisement posted	Day 15
Electronic screening occurs	
Further manual screening conducted, if necessary	
Teleconference(s) held with applicants	
Assessment tools sent to applicants	
Assessment Board scores results of written exam and references reviewed	Day 25
Interviews conducted	
Second language evaluation testing/security checks conducted as early as possible in the process	
Final assessments/confirmations completed	
Results issued and appointments proposed	Day 45

Top performers based on the Public Service Commission's assessment of the 2008-2009 Departmental Staffing Accountability Reports

- 5.63 The following three organizations have been identified as top performers in 2008-2009 for having a rating of "strong management performance," without any areas needing attention: Transport Canada, Western Economic Diversification Canada and the Canada Industrial Relations Board (see Table 14).

Table 14 – Top performers based on the assessment of the 2008-2009 Departmental Staffing Accountability Reports

ORGANIZATION
Large:
Transport Canada
Medium:
Western Economic Diversification Canada
Small:
Canada Industrial Relations Board

Chapter 6

Oversight and accountability

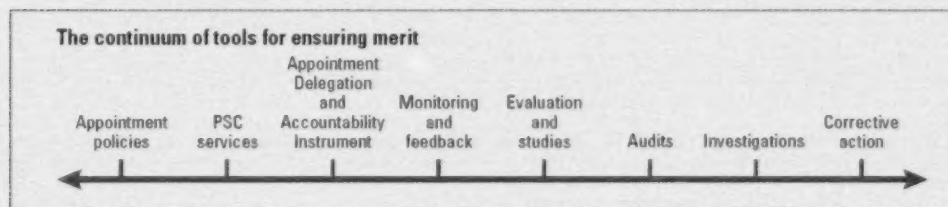


6 Oversight and accountability

- 6.1 The current *Public Service Employment Act* (PSEA) was intended to provide managers with the responsibilities and accountability “necessary to staff, to manage and to lead their personnel to achieve results for Canadians.”¹¹ While the Public Service Commission (PSC) has the authority to make appointments to and within the public service, for the most part this authority has been delegated to deputy heads, as encouraged by the Act. Those deputy heads to whom appointment authority has been delegated are accountable to the PSC for the exercise of that authority. The PSC, in turn, is accountable to Parliament for the integrity of appointments and the non-partisan nature of the public service.

Safeguarding merit through a continuum of tools

- 6.2 The PSC uses a continuum of tools and services to ensure that deputy heads exercise their delegated authorities appropriately and adhere to the values of the PSEA. Together, the tools and services are designed to obtain an independent and balanced perspective of the staffing system and to focus on matters of risk and significance. This continuum is described in more detail in Appendix 1A.



- 6.3 The PSC manages its tools in a highly integrated way. Policy guidance and delegation instruments set out clear expectations of a well-managed appointment system. PSC services and common systems and tools enable organizations to exercise their delegated authorities more fully and achieve a values-based appointment system. A number of mechanisms are then used to monitor and assess the integrity of the staffing system based on these expectations.
- 6.4 As provided for in the PSEA, the results of the PSC’s assessment are reported in its Annual Report to Parliament. The PSC also occasionally tables special reports to Parliament on matters within the scope of its powers and functions and frequently appears before various parliamentary committees. The PSC places the utmost importance on its relationship with Parliament, given the roles, responsibilities and accountabilities assigned to it under the PSEA.

¹¹ Preamble to the *Public Service Employment Act*

Oversight review and recommendations

- 6.5 The PSEA underlines the importance of staffing values in guiding decision making. For its part, the PSC supports deputy heads and their departments and agencies in exercising their delegated staffing authorities, protects the interests of individual employees and provides a full accounting of operations to Parliament. Therefore, in line with its decision to maximize the delegation of staffing authorities to deputy heads, the PSC places greater emphasis on its oversight activities, in particular audit and monitoring, as a way of discharging its accountabilities to Parliament.
- 6.6 Following the Horizontal Strategic Review of Human Resources, the PSC mandated an Independent Review Committee to determine the appropriateness of the approach and level of effort of the PSC's oversight and to identify areas for improvement. In assessing the appropriateness of its approach, the Committee considered the spirit and intent of the PSEA: to modernize the staffing regime, balancing flexibility with greater accountability and ensuring that the conduct of appointment processes is based on merit, non-partisanship, fairness, transparency, access and representativeness.
- 6.7 The Committee arrived at the following three conclusions:
- 6.7.1 "... that the scope of oversight of the PSC must be as broad as the range of delegated authorities. That is to say, it must encompass the effectiveness of the staffing system and cannot be limited to non-partisanship or any other single component. The Committee concluded that the oversight activities of the PSC, namely monitoring, audit and investigations are the right ones. However, some calibration is needed in the quality and amount of monitoring, and there is a need for development of its capacity across its monitoring and audit activities."¹²
- 6.7.2 "... that the level of effort for oversight is appropriate overall but there was a strong case to be made to increase the level of resources for its monitoring activities. The Committee left it to the PSC to determine whether this is best achieved by slowing the building of its audit capacity or by reallocating other PSC resources."¹³

¹² *Review of Public Service Commission Oversight – Report of the Independent Review Committee* (January 2009), p. 5.

¹³ *Ibid.*

- 6.7.3 "... that to ensure full implementation of the PSEA, one of the essential foundations of Human Resources renewal, renewed engagement and a concerted "team effort" is required including deputy heads, managers, HR specialists, and bargaining agents. Simply enhancing PSC oversight will not be enough."¹⁴
- 6.8 In light of these conclusions, the Committee identified 18 recommendations for improvement. These included the following: improved stakeholder communication; better collaboration and co-ordination with the Office of the Comptroller General and the Office of the Auditor General; a review of the PSC *Appointment Policy* and the Staffing Management Accountability Framework (SMAF) to clarify expectations; refinements to the approach and adjustments to the level of effort with respect to monitoring and the Departmental Staffing Accountability Report process; refinements to the PSC's audit process; and improved performance monitoring and reporting. The report in its entirety can be found at www.psc-cfp.gc.ca/abt-aps/rprt/ovr-srv/index-eng.htm.
- 6.9 The PSC has accepted the Committee's report in full. An action plan has been developed to address each of the recommendations; four of them have already been implemented, and the remainder will be addressed over the next two years. The action plan can be found in Appendix 1B.

Audits, studies and evaluations

- 6.10 The PSC completed the following audits and studies in 2009.
- 6.11 ***Follow-up Audit of the Office of the Correctional Investigator –***
In October 2007, the PSC placed a condition on the delegation of appointment authorities of the Office of the Correctional Investigator (OCI). The OCI was required to submit quarterly progress reports to the PSC. This condition was to remain in effect until the PSC was satisfied with the integrity of the OCI's staffing activities.
- 6.12 The PSC conducted a follow-up audit and found that the OCI has improved its staffing systems and practices over the past two years. The audit found no evidence of the previous staffing pattern. The PSC found that all of the appointments reviewed were based on merit. Through the implementation of an integrated human resources (HR) plan and a monitoring approach, the OCI has created an environment that supports the staffing values.

¹⁴ *Review of Public Service Commission Oversight – Report of the Independent Review Committee* (January 2009), p. 5.

- 6.13 **Four entity audits: Audit of Infrastructure Canada, Audit of Health Canada, Audit of Canada Border Services Agency and Audit of Immigration and Refugee Board of Canada** – The objective of the audits was to determine whether the entities had the appropriate framework, systems and practices in place to manage their staffing activities. The audits examined whether the organizations' appointments and appointment processes complied with the PSEA, the instrument of delegation signed with the PSC and other governing authorities.
- 6.14 **Audit Survey of the Office of the Information Commissioner of Canada** – At the request of the Information Commissioner, the PSC conducted a preliminary audit survey of the staffing activities of the Office of the Information Commissioner to determine what further oversight might be appropriate. This request was made following the Auditor General of Canada's report dated October 2, 2007, which stated that, as a result of non-compliant staffing practices, the Office of the Information Commissioner was at risk of losing its delegated staffing authorities.
- 6.15 Results of the audit survey indicate that, since the appointment of the Information Commissioner in winter 2007, the Office of the Information Commissioner has markedly improved its appointment framework and practices. Progress was evident in several areas, including an increase in the capacity to deliver HR services, the development of an HR plan that is integrated with the business plan and the development of internal staffing policies. Nevertheless, some deficiencies were found, predominantly related to missing documentation. Based on the observations of the audit survey, the PSC is satisfied that the essential elements of an effective staffing appointment framework are in place. Consequently, regular ongoing monitoring is more appropriate than conducting an audit at this time.
- 6.16 **Audit of the Federal Student Work Experience Program and subsequent appointments through bridging mechanisms (tabled in Parliament on May 14, 2009)** – The Federal Student Work Experience Program (FSWEP) is the largest program through which students can gain work experience within the federal government. Upon graduation, they can be appointed to a public service term or indeterminate position through a facilitated process referred to as a "bridging" mechanism. The objective of the audit was to determine whether, in 11 selected departments and agencies, the hiring of students for the first time into the FSWEP and the subsequent appointment of these students into term and indeterminate positions through bridging mechanisms was done in accordance with the relevant legislative and policy frameworks. The audit also examined whether each of these organizations had in place an appropriate framework to plan for and monitor bridging appointments made from April 2006 through March 2007.

- 6.17 The audit raised questions about the continuing relevance of the Treasury Board of Canada Secretariat's requirement that all FSWEF students have learning plans, given the rate of compliance with this requirement. Overall, the program is working reasonably well.
- 6.18 However, the audit also found that over a third of the bridging appointment processes reviewed were identified as unsatisfactory, in that they did not respect the PSC's Appointment Framework. Furthermore, audited organizations had not integrated bridging appointments into their HR plans and few of them monitored selection and appointment decisions to ensure that they respected the legislative framework and guiding values. The audit concluded that more rigour is needed in the documentation supporting bridging appointment decisions.
- 6.19 ***Study on the Data Collection of Non-Advertised Appointment Processes –*** Non-advertised appointment processes have been assessed by the PSC as a risk area that needs to be more closely monitored by deputy heads to ensure respect of the core and guiding values. Further, the PSC has expressed a need to collect more rigorous and detailed information on non-advertised appointment processes.
- 6.20 The purpose of the study was to examine data collection practices related to non-advertised appointment processes and the limits of the data available, as well as to explore the associated risks and areas for improvement for the PSC and other organizations.
- 6.21 The study focused on the non-advertised appointment activities of four organizations: the Canadian International Development Agency, Citizenship and Immigration Canada, Library and Archives Canada and Transport Canada. It included approximately 50 files from each of the selected organizations, consisting of 10 advertised processes and 40 non-advertised processes for the period of April 1, 2007, to March 31, 2008.
- 6.22 Two of the indicators used in the PSC's SMAF to monitor staffing performance in departments and agencies are related to access and are measured as the percentage of total appointments that are non-advertised, internally and externally, respectively. While this calculation is easy to understand and is well documented, organizations were unanimous in their concern that it does not provide a meaningful measure of the value of access to public service positions.

- 6.23 The study found that accuracy varied greatly among organizations, with non-advertised appointment processes being under-reported in some organizations and over-reported in others. In addition, coding errors were found with respect to appointments reported in all departments and agencies. The amount of time and effort required for submitting data to the PSC and the capacity to respond to changing requests vary greatly between organizations. As noted in Chapter 3, in response to these concerns, the PSC is exploring other means of capturing this information.
- 6.24 ***Career Progression in the Federal Public Service – Temporary versus Permanent Start-ups*** – Reliance on temporary workers as a source of recruitment for the permanent public service workforce is considered an area of risk in the staffing system. This study examines the career progression of the permanent workforce in relation to their employment tenure, temporary or permanent, upon initial appointment (temporary start-up or permanent start-up) from the external labour market into the public service.
- 6.25 ***Time to Staff in the Federal Public Service (Update)*** – This study update examines whether the enactment of the current PSEA has had an impact on the overall time needed to staff an indeterminate position in the public service, and provides plausible explanations for observed results. The analysis of the most recent data from the PSC's Survey of Appointments and the Survey of Staffing shows that the average time needed to staff an indeterminate position in the federal public service increased following the enactment of the PSEA in December 2005, but then decreased again as federal departments and agencies adapted to the new staffing regime (see Chapter 5 for more details). An analysis of operational data related to internal staffing processes supports this finding.
- 6.26 A number of factors stand out as contributing to lengthier staffing processes. Processes open to the public take longer than those restricted to public servants. Collective processes are slower than non-collective processes. The small increase in time to staff during the transition to the current PSEA resulted primarily from a greater use of these process types.
- 6.27 ***Acting Appointments and Subsequent Promotions in the Federal Public Service (Update)*** – The objective of the study update was to explore whether an acting appointment gives an employee an advantage in terms of gaining a subsequent promotion. The update examined the initial acting appointment of four months or more, the duration of this appointment and the relationship to subsequent promotion.

- 6.28 The rate of promotion for employees following an acting appointment was estimated at 41.3% in the public service (2002-2004).¹⁵ The rate of promotion for non-acting employees was only 6%. The majority of promotions subsequent to acting appointments took place almost immediately after the end of the acting appointment. The average duration of acting appointments that ended in promotion was 15 months, two months longer than the duration of acting appointments that ended without a promotion. This difference cannot be associated with human capital accumulation and/or on-the-job training or learning.
- 6.29 The analysis was extended to cover three additional years, from 2004 to 2007. One out of every ten employees was in an acting position. The rate of subsequent promotion following an acting appointment remained the same (41.2%), and the duration was irrelevant to the outcome of the acting appointment, 15.5 months if it ended with a promotion and 13.4 otherwise. These results further demonstrate that acting appointments constitute a potential risk to fairness.

Table 15 – Acting Appointments and Subsequent promotions

Fiscal years	Subsequent promotion rate	Duration (months)	
		Promoted	Not promoted
2002-2004	41.3%	15.0	13.0
Updates			
2004-2007	41.2%	15.5	13.4

Source: Job-based Analytical Information System (JAIS)

- 6.30 *New indeterminate employees: Who are they? (Update)* – A previous study on the appointment of new indeterminate hires occurring between April 1998 and March 2006 indicated that, on average, more than 80% had prior public service experience — 75% as a casual and/or a term (specified-period) employee. Another 8% of new indeterminate appointees had prior experience in the public service as students or as trainees hired outside the PSEA or in organizations not subject to the PSEA.
- 6.31 The latest figures (see Table 16) show that the proportion of new indeterminate hires with no prior public service experience has increased substantially in recent years, from an average of 17% over the initial study period to 35% in fiscal year 2008-2009. Compared to previous years, new hires are less likely to have worked as term employees. The proportion of recruits with experience as casual workers (who may or may not also

¹⁵ In the study, a promotion was considered "subsequent" if it took place within four months of the acting appointment. Consequently, this estimate may be different than estimates found elsewhere in the Annual Report that use a different definition of "subsequent."

have had experience as a term) averaged 29% over the initial study period. In 2008-2009, as in the two preceding fiscal years, this proportion was 34%. This high level is of concern as to whether there is a proper balance between the guiding values, as it potentially limits the pool of candidates.

- 6.32 However, the study also points to a new trend: the prior public service employment of new indeterminate hires is increasingly more likely to be in the casual workforce exclusively. Individuals whose prior experience in the public service was as casual workers, and who were never term employees, represented 4% of all new indeterminate hires in 2000-2001. By 2008-2009, this proportion had increased to 15%.
- 6.33 The 8% to 9% of new indeterminate hires with "Other" prior tenure is unchanged, although the total number of individuals with this characteristic increased somewhat in 2007-2008 and 2008-2009.

Table 16 – Prior public service experience of new indeterminate hires by fiscal year

	No prior public service experience*	Term, never casual	Casual, never term	Term and casual	Other
2000-2001	16%	52%	4%	19%	9%
2001-2002	19%	46%	6%	22%	9%
2002-2003	19%	40%	7%	26%	8%
2003-2004	14%	45%	6%	29%	6%
2004-2005	16%	40%	7%	30%	8%
2005-2006	22%	37%	9%	24%	8%
2006-2007	29%	28%	13%	21%	9%
2007-2008	31%	25%	14%	20%	9%
2008-2009	35%	23%	15%	19%	8%

Source: Job-based Analytical Information System (JAIS)

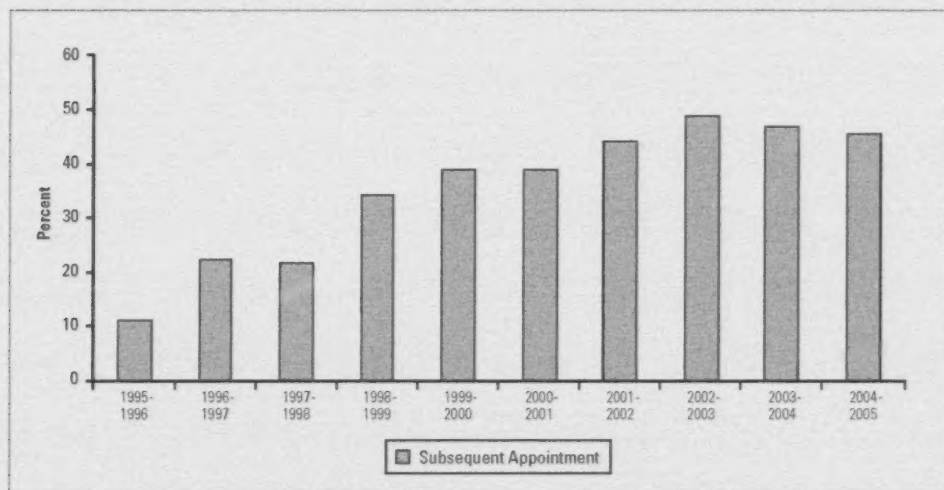
*Note: New indeterminate hires with prior experience as students are included in this column only if they had no experience as a term or casual; otherwise, these individuals are counted in one of the other columns.

- 6.34 In addition, the latest findings reveal that:
- The median age of new recruits is unchanged (34 years);
 - The Administrative Support category still has the greatest proportion of new hires with prior experience (83%); and
 - Most appointments were made without a break in service (86%) and did not involve a change of organization (85%) or classification (69%).

See Appendix 6 for other observations for the more recent study period.

- 6.35 *To what extent do casuals become employed under the Public Service Employment Act? (Update)* – In an earlier study, the PSC examined the extent to which casual workers were subsequently appointed to specified period or indeterminate positions. The analysis was based on new casual hires for the period from April 1995 to March 2005, and found that an average of 41% were subsequently employed under the PSEA. As demonstrated in Figure 13 below, generally, the proportion of casual employment spells ending with appointment under the PSEA increased over the period.

Figure 13 – Proportion of casual employment spells with appointment under the *Public Service Employment Act* – Fiscal years 1995-1996 through 2004-2005



Source: Job-based Analytical Information System (JAIS)

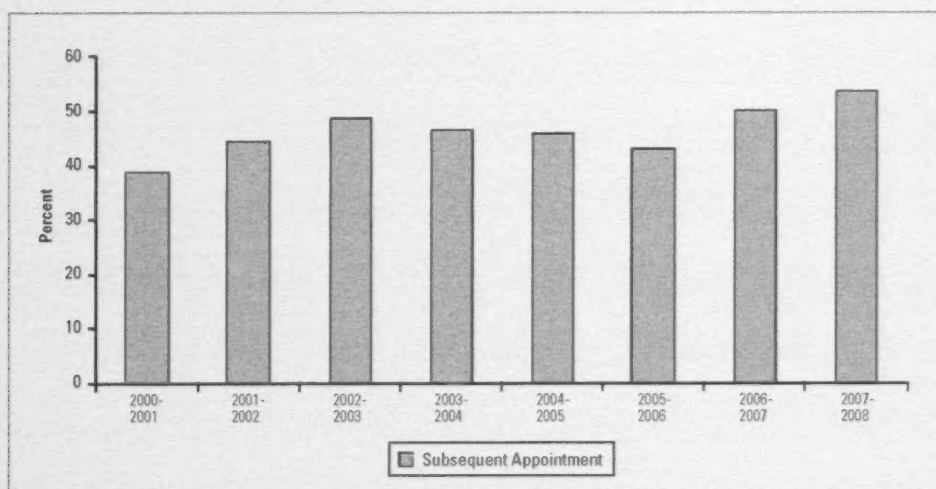
Note that four organizations included in the study, the Canada Border Services Agency, Public Safety Canada, the Public Health Agency of Canada and the Canada School of Public Service, were established towards the end of the initial study period. Therefore, the full effect of the staffing activity in these organizations is not reflected in the results.

- 6.36 The study update examined the casual employment spells occurring between 2000-2001 and 2007-2008. While the initial study covered a longer period, the number of employment spells is about the same: 99 633 in the update, compared to 96 698 in the initial study.
- 6.37 Figure 14 shows the rate of subsequent employment under the PSEA from fiscal year 2000-2001 to 2007-2008. Over this period, on average, 48% of casual workers were subsequently employed. Of these, 69% were appointed to an indeterminate position. Both of these results are higher than what was observed in the initial study, where it was found that 41% of casual hires were subsequently employed and 58% of the employment resulted in indeterminate tenure.

6.38 While the proportion of casual hires moving into specified period or indeterminate positions has increased, other characteristics of casual employment have not changed substantially:

- The probability that a casual worker becomes employed under the PSEA is still greater in the National Capital Region (57%) than in the regions (42%);
- Time to appointment under the PSEA is still less than one year after the initial casual appointment, and more than half make the transition without a break in service;
- Most appointments do not involve a change of classification (74%) or organization (91%); and
- The Administrative and Foreign Service and the Professional and Scientific categories still have higher rates of appointment under the PSEA relative to other categories (58% and 57%, respectively). The appointment rates for the Technical, Administrative Support and Operational categories range from 40% to 44%.

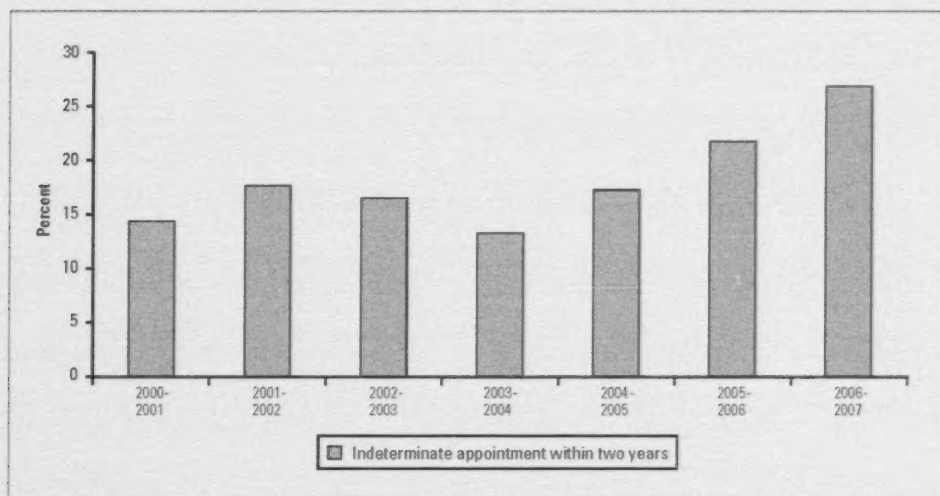
Figure 14 – Proportion of casual employment spells with appointment under the *Public Service Employment Act* – Fiscal years 2000-2001 through 2007-2008



Source: Job-based Analytical Information System (JAIS), PSC

6.39 In 2000-2001, 14% of new casual hires were appointed to indeterminate positions within two years of their casual employment. As illustrated in Figure 15 below, this proportion is higher in recent years. See Appendix 6 for other observations for the more recent study period.

Figure 15 – Casuals with appointment to indeterminate position within two years – Fiscal years 2000-2001 through 2006-2007



Source: Job-based Analytical Information System (JAIS)

Investigations into appointment processes

- 6.40 The PSC conducts investigations and audits regarding staffing activities in the public service to ensure conformity with the PSEA, its regulations and PSC policies. These activities also provide assurance to the Commission, Parliament and Canadians regarding the integrity of the appointment process in the public service.
- 6.41 In 2008-2009, the PSC received 410 requests to investigate allegations related to appointment processes. A total of 109 requests were deemed suitable for investigation and were referred accordingly.
- 6.42 In this fiscal year, the PSC completed 73 investigations that affected 82 individual cases related to appointment processes.
- 6.43 **Early Intervention** – Of the total of 109 requests, 57 allegations were sent to the PSC's Early Intervention (EI) process; 40 files were accepted for EI, and 27 of these were resolved through this form of alternative dispute resolution. The remainder were referred for full investigation.

6.44 Investigations into external appointment processes (section 66) –

Investigations carried out under section 66 of the PSEA traditionally cover a wide spectrum of issues related to error, omission or improper conduct in external appointment processes. Issues investigated include the following:

- Preferential treatment to candidates;
- Qualifications designed to match specific candidates; and
- Appointment of candidates who do not meet essential qualifications.

6.45 In 2008-2009, the PSC received 344 requests to investigate appointment processes under section 66 of the PSEA; 97 files were deemed suitable for investigation and were referred accordingly. Through EI and investigations, 56 investigations were completed and 91 individual files were resolved. Of these, 15 files resulted in a “founded” determination and corrective actions were applied.

Table 17 – Requests for investigation under section 66 of the *Public Service Employment Act* (external appointment processes)

Total number of requests received	Total number of requests accepted for investigation	Total number of requests resolved through EI	Number of files completed (founded)	Number of files completed (unfounded)
344	97	26	15	51

Source: Investigations Management Information System (IMIS)

Note: The number of requests resolved through EI or completed through investigation could include files carried over from the previous fiscal year.

Section 66 – Improper conduct – Tailoring of a position to correspond to specific qualifications of a specific individual:

This investigation was conducted under section 66 of the PSEA. The purpose was to determine whether an organization had created a position specifically to fit a particular candidate's qualifications.

The PSC concluded that the organization did engage in improper conduct. The evidence demonstrated that the job description was tailored, resulting in the creation of a new position to fit the employee's qualifications. The PSC concluded that the appointment to the position was made as a result of improper conduct on the part of the organization, namely in the creation of a position to correspond with the employee's specific qualifications.

Corrective action included the revocation of the employee's appointment, the requirement that the organization inform the PSC of any staffing action involving the employee, training in HR as well as in values and ethics for the manager, and a letter to be sent to the deputy head to inform them of the improper conduct.

Section 66 – Error – Area of selection – Ineligible participant appointed:

This investigation was conducted under section 66 of the PSEA and pertained to an external advertised appointment process. Information was brought to the PSC's attention that one of the successful candidates in this process neither worked, nor resided, in the area of selection specified in the advertisement and was thus ineligible to participate.

The issue in this case was whether the candidate could be considered a person residing or employed in the city or within a 70-km radius of the city at the time that the candidate applied for this appointment process. The organization knew that the candidate was residing in another province. Not only did the candidate give an address in another province on the application, but the candidate also indicated that they had been working in that province for some time. Moreover, the written examination was sent to a organizational location in the other province so that it could be completed by the candidate.

The PSC concluded that there was an error that affected the candidate's selection for the appointment process, as the candidate did not reside in the area of selection.

Corrective action included not extending beyond its end date the term appointment of the employee for the appointment process and sending a letter to the HR Services manager to point out the irregularity in the appointment process.

- 6.46 **Investigations into internal appointment processes; no delegation (subsection 67(1))** – The PSC did not receive or complete any files under subsection 67(1) in 2008-2009.
- 6.47 **Investigations into internal appointment processes; delegation (subsection 67(2))** – In 2008-2009, the PSC received two requests from a deputy head for investigation under subsection 67(2) of the PSEA. The PSC also completed investigation reports that affected two individual files. Of these cases, one investigation was determined unfounded, while the other was determined founded, as errors were made in the internal appointment process. This case was referred back to the organization so that the deputy head could determine appropriate corrective actions, as per their delegated authority.

- 6.48 **Investigations into fraud (section 69)** – The role of the PSC under section 69 of the PSEA is to determine whether fraud has occurred in an appointment process. The PSC has the exclusive jurisdiction to investigate issues of fraud. Types of issues can include the misappropriation of test material or the use of unauthorized or prohibited information during an examination.
- 6.49 Pursuant to section 133 of the PSEA, all founded fraud cases are referred to the Royal Canadian Mounted Police, who have the jurisdiction to determine whether a criminal investigation should take place.
- 6.50 In 2008-2009, the PSC received 17 new allegations of fraud in an appointment process. During this period, investigation reports were completed that affected 13 individual files; 6 cases of fraud were determined to be founded.
- 6.51 The types of corrective action applied in 2008-2009 in response to founded fraud cases include the following:
- Suspension of the manager's staffing delegation;
 - Requirement to attend training;
 - Requirement of PSC permission before accepting a position in the public service; and
 - Exclusion of the candidate from the appointment process.

Section 69 – Fraud committed by a federal public service team leader:

This investigation was conducted under section 69 of the PSEA and examined whether fraud occurred during an appointment process.

An allegation was made against a team leader involved in the management of an appointment process. This individual was alleged to have engaged in fraud by providing an advance copy of a portion of an examination to two candidates, with the intention of providing an advantage to these candidates. The investigation brought forth other allegations, which were unfounded.

The PSC concluded that the team leader engaged in fraud under the PSEA by distributing the examination questions and answers to a candidate, who has since left the public service, in the selection process, thereby endeavouring to improperly influence the results of the selection process.

Corrective action against the team leader, who resigned from the public service prior to the start of the investigation, included the requirement to seek and obtain the approval of the Commission before accepting any appointments to the federal public service.

Section 69 – Fraud by a candidate:

This investigation was conducted under section 69 of the PSEA as a result of information received from an organization with respect to an internal appointment process. The process had been initiated by the organization to staff three positions.

According to the organization, fraud was suspected when a candidate was seen using notes during a written examination that was being administered during the appointment process, despite having been advised that no documents apart from those provided by the organization were permitted during the examination.

The PSC concluded that the candidate's actions were an attempt to cheat during the written examination. The use, or attempted use, of unauthorized notes during an examination constitutes fraud under the PSEA.

Corrective action included the exclusion of the employee's employment application from the appointment process, as well as the requirement that the employee obtain the permission of the Commission before accepting any position within the public service for a period of three years and that the employee attend a values and ethics course.

...the PSC has requested that organizations not assist individuals under investigation for fraud in changing their position until the conclusion of the investigation.

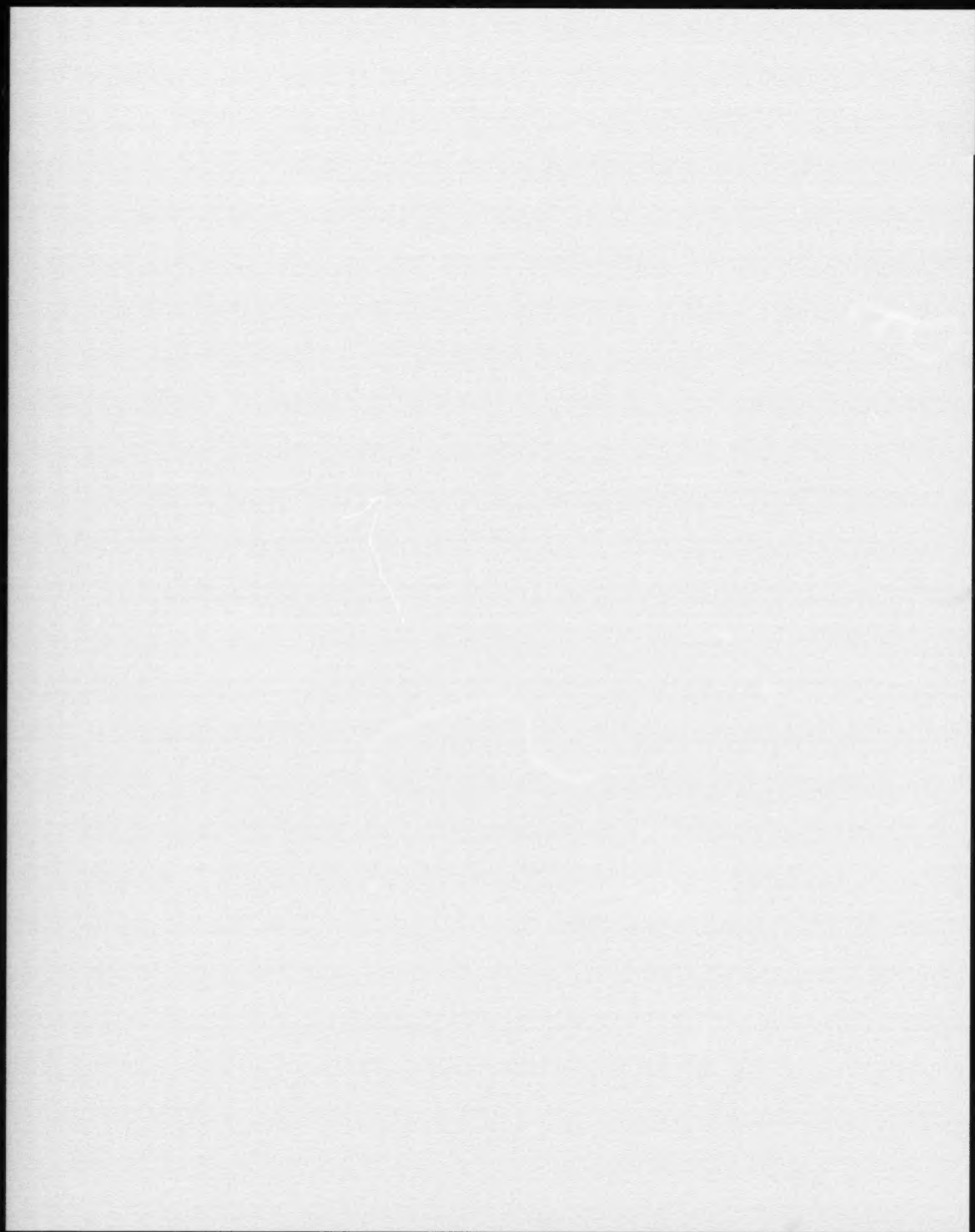
- 6.52 In its analysis of founded investigations, the PSC noticed two cases in which organizations permitted individuals under investigation for fraud to deploy to or apply for other appointment processes. This complicated the identification and implementation of corrective actions by the PSC. In its outreach efforts with organizations, the PSC has requested that organizations not assist individuals under investigation for fraud in changing their position until the conclusion of the investigation.
- 6.53 **Disclosure of personal information** – Section 19 of the *Public Service Employment Regulations* and section 14 of the *Political Activity Regulations* provide the PSC with the authority to disclose personal information obtained during the course of an investigation, subject to certain criteria. The PSC first used this authority in its 2007-2008 Report on Investigations. The PSC will continue to disclose details of its investigations, and such disclosure may contain personal information if it is deemed to be in the public interest. Summaries of PSC investigations, both anonymous and containing personal information, may now be found on the PSC's Web site.

The PSC will continue to disclose details of its investigations, and such disclosure may contain personal information if it is deemed to be in the public interest.

- 6.54 **Follow-up to the 2007-2008 report** – In 2007-2008, the PSC reported that, in one case, an employee was found to have committed fraud in one or more appointment processes. At that time, no additional information could be disclosed, as the case was before the courts. The PSC has been advised that the case may involve an involuntary reaction to a severe illness. Personal information concerning the individual involved in the fraud will not be published, as the PSC considers that the individual's privacy interests outweigh the public interest in such a disclosure. An anonymous summary of the case (file 2007-PSC-00100) can be found on the PSC's Web site.
- 6.55 **Government-wide audit of executive appointments** – In 2008-2009, the PSC released its *Government-wide audit of executive (EX) appointments*. As part of the audit's findings, 38 files were referred for follow-up on the specific appointment processes. Of these 38 files:
- PSC investigations were opened in seven cases. One investigation has been concluded; the allegation of tailoring/favouritism was unfounded;
 - PSC investigations on behalf of deputy heads were opened in five cases;
 - Deputy head investigations were initiated in twelve cases;
 - Thirteen cases were closed at the intake phase; and
 - One case remains under consideration for investigation.
- 6.56 Many of these files related to internal appointment processes. Investigations into these processes fall under the mandate of deputy heads. Accordingly, the PSC had to discuss each file individually with the department or agency in order to determine who would conduct the investigation. This proved to be time-consuming and burdensome, and the PSC hopes to consider alternative means of addressing these issues with departments and agencies in the future.
- 6.57 **Audits conducted under section 17 of the PSEA** – Audits conducted by the PSC assess an individual appointment or appointment processes that have come to the attention of the PSC, but where the PSC has no authority to conduct an investigation. In such cases, these audits ensure that processes respect merit and non-partisanship and that delegated appointment authorities are properly exercised. These audits could result in findings and recommendations. These recommendations and findings are provided to deputy heads, and follow-up is conducted by the PSC on their implementation.

- 6.58 An audit under section 17 was conducted in 2008-2009 on unauthorized access to PSC second language evaluation tests by the Nec Plus Ultra language school. The objective of this audit was to determine whether and how this school gained unauthorized access to PSC tests. The audit concluded that the tests were in the possession of the school and were used without the authorization of the PSC. Follow-up action is currently being taken, including introducing new versions of the tests and new training and instructions on test disclosure, re-testing of certain employees and additional test security review.

*The audit
concluded that
the tests were in the
possession of the school
and were used
without the
authorization of
the PSC.*



Chapter 7

Enabling departments
and agencies



7 Enabling departments and agencies

- 7.1 With the delegation of almost all Public Service Commission (PSC) appointment authorities to deputy heads, departments and agencies now have the responsibility to customize staffing programs and processes to meet their operational needs. The PSC has a variety of powers and functions available to it to enable departments and agencies to manage their delegated responsibilities, as the PSC ultimately remains responsible for the overall health of the staffing system.
- 7.2 Departments and agencies continue to look to the PSC for direction and support to carry out their responsibilities, especially given the challenges in renewing their workforces. The PSC supports organizations by providing policy guidance, strategic advice, services and common systems and tools to enable them to exercise more fully their delegated authorities and achieve a values-based appointment system.
- 7.3 To ensure that policies remain efficient and effective, the PSC refines its policy suite on an ongoing basis. As issues emerge through organizational experience with the *Public Service Employment Act* (PSEA), areas are identified for adjustment. This year, the PSC will also initiate a review of the PSC Appointment Policy Framework in preparation for the five-year legislative review of the PSEA. The goal of the Appointment Policy review is to ensure a harmonized suite of policies that meet legislative requirements and provide clear expectations and direction to delegated deputies and managers, with respect to their appointment responsibilities.
- 7.4 The PSC also provides staffing and assessment services to assist managers in carrying out their delegated staffing authorities and to support the integrity of the staffing system. Services such as jobs.gc.ca and post-secondary recruitment programs help connect hiring managers with job seekers, and standardized assessment products such as second language tests help ensure that managers hire qualified personnel. The PSC also has in place a variety of optional services designed to complement the staffing and assessment services available to managers from within their own organizations. On an ongoing basis, the PSC refines its service and product mix to best meet its statutory obligations and the needs of federal organizations across the country.
- 7.5 The PSC uses a mixed funding model of cost recovery and appropriation when offering staffing and assessment services to its client organizations. In 2008-2009, the PSC faced certain challenges in establishing the right infrastructure to support an expanding cost-recovery environment, as well as in meeting its increased authority for revenue targets under its cost-recovery model.

Refinements to the policy suite

- 7.6 The PSC has made adjustments to its policy suite as part of its ongoing commitment to ensure efficient and effective policies that support the legislative requirements and values of the PSEA. In 2008-2009, a number of policy amendments were made.
- The *Assessment Policy* was amended in 2007-2008 to allow exceptions to the Executive (EX) assessment requirements on a case-by-case basis with approval from the PSC. That year, 68% of the requests were for acting appointments over four months. In 2008-2009, the *Assessment Policy* was again amended to allow exceptions to the assessment requirement for acting EX appointments without seeking PSC approval. The PSC received 22 EX assessment exception requests this year, over half the number of requests received in 2007-2008 (42). Of the approved exception requests, 82% have been for indeterminate appointments while 18% have been for term appointments.
 - The *Assessment Policy* was also amended in 2008-2009 to clarify that human resources (HR) specialists and other parties may participate on EX assessment boards.
 - The *Area of Selection Policy* was amended to expand the requirement of establishing a national area of selection (NAOS) in all external advertised appointment processes, to all occupational categories, in all regions across the federal public service as of December 2008. This means that all indeterminate appointments and all term appointments of six months or more open to the public, as well as all full-time student appointments, will be made using a NAOS. This fulfilled the PSC's commitment to ensure access for all Canadians to public service jobs.
 - The *Area of Selection Policy* was also amended to clarify or provide for exceptions to the requirement of establishing a NAOS. For example, part-time student appointments and appointments made using an area of selection limited to employment equity designated group members do not need to use a NAOS. In addition, deputy heads may request an exception to the requirement to use a NAOS on a case-by-case basis. Such requests must be approved by the PSC.
- 7.7 The PSC continues to work on regulations and exclusion approval orders in several areas:
- **Collective appointments** – Candidates who do not possess an essential qualification are eliminated from any possible appointment through collective processes. Nonetheless, they must be notified of each appointment made from a pool. In order to improve the efficiency of collective processes, the PSC is developing an exclusion approval order

to enable informal discussion for such persons at the time of elimination and recourse for such persons when the pool is created. This work is at the consultation stage and will continue in 2009-2010.

- **Spousal priority** – The PSC is continuing its work on amending the *Public Service Employment Regulations* (PSER) to create an appointment priority for the spouses of public service employees, Royal Canadian Mounted Police (RCMP) members and Canadian Forces (CF) members whose deaths are attributable to service to Canada. Such persons, if found qualified, would be granted a priority appointment over others for appointments made as a result of external advertised processes. The PSC is working with the Department of Justice to develop this proposed amendment.
- **Other priorities** – Following suggestions from the Standing Joint Committee for the Scrutiny of Regulations, the PSC has proposed amendments to the PSER to clarify the priority entitlement start date for employees and members of the CF and the RCMP who become disabled or who are released or discharged for medical reasons. The PSC also proposed amendments to correct a typographic error in the priority for employees who have taken a position at a lower level because of their surplus or layoff priority.
- **Organization-specific exclusion approval orders** – Consultations have been held with two organizations, the Canadian Security Establishment and Staff of the Non-Public Funds, which are currently covered by exclusion approval orders (EAO) issued under the former PSEA. The existing orders are “blanket” exclusions. With the greater flexibilities inherent in the current PSEA, such a blanket approach is no longer necessary. The PSC is working with these and other organizations, including the Department of Justice and the Treasury Board of Canada Secretariat, to finalize the proposed orders.
- **Census Exclusion Approval Order** – Consultations are under way with Statistics Canada to determine which provisions of the PSEA are to be excluded for term employees hired for the 2011 census. Such an order is necessary to ensure that census work is completed within legislated time frames.
- **Student Programs Exclusion Approval Order** – The existing Student Programs EAO was established under the former PSEA and is a blanket exclusion. The PSC is proposing a more tailored EAO that reflects the greater flexibilities inherent in the current PSEA. The EAO is expected to be in effect by fall 2009.

- **Locally Engaged Staff Exclusion Approval Order** – The Departments of Foreign Affairs and International Trade and National Defence are the two organizations that make the most use of locally engaged staff, i.e. staff locally engaged outside Canada. The proposed EAO and related regulations have been developed in consultation with both departments to respond to their operational needs. This work is currently in progress.
 - **Office of the Secretary of the Governor-General Exclusion Approval Order** – Amendments to the Regulations will provide excluded employees appointed on or after the date of registration of the amendments with the right to participate in internal advertised appointment processes open to employees of the federal public service. This right would also include recourse to the Public Service Staffing Tribunal. It is anticipated that this EAO will be in effect by fall 2009.
- 7.8 **Changes to support tools** – In 2007-2008, the PSC concluded consultations on proposed revisions to the guidance for informal discussion. Revisions were made to provide clarification on setting time frames, establishing criteria for additional discussions and providing group discussions for common issues in collective staffing processes. This should address organizational concerns that all candidates needed to be provided with multiple informal discussions.

Priority administration

- 7.9 The PSEA and the PSER govern appointments to public service positions. Both instruments contain special clauses that give, for a specific period of time, specified classes of persons meeting certain conditions the entitlement to be appointed in priority to others. These priority entitlements help people cope with changes in their lives and careers brought about by events such as workforce reduction, becoming disabled, relocating with their spouses or common-law partners or being medically released from the Canadian Forces. Such entitlements also assist the public service in retaining competent employees.
- 7.10 The PSC is responsible for ensuring that departments and agencies apply the provisions of the PSEA and PSER related to priority entitlements in a fair and transparent manner and that priority persons are provided with opportunities to be considered ahead of all others for positions for which they may be qualified. To do so, the PSC has put in place the Priority Information Management System (PIMS), an automated inventory of priority persons that departments and agencies must search before making appointments to and within the public service.

By March 31, 2009,
some 711
of these individuals
found employment
through the priority
system, while the
priority entitlements
of 242 individuals
expired.

- 7.11 On April 1, 2008, there were 1 223 priority persons and, over the course of 2008-2009, the PSC confirmed the registration of an additional 1 248 priority persons (see Table 41, Appendix 7). By March 31, 2009, some 711 of these individuals found employment through the priority system, while the priority entitlements of 242 individuals expired. The majority of the latter had found employment at a lower level through priority consideration, but were unsuccessful in being reinstated at their substantive level of work. When taking into account these individuals, as well as those who resigned, retired or were removed for other reasons, the 2008-2009 period ended with 1 220 persons remaining in the priority administration system.
- 7.12 **Support for former Canadian Forces and RCMP members** – In conjunction with the *Veterans Charter*, in 2005 the PSC expanded its priority entitlement for CF and RCMP members who are released or discharged from service for medical reasons. The aim of the priority entitlement is to provide, for a limited period, these former CF and RCMP members with the opportunity for priority appointment to positions in the public service for which they meet the essential qualifications.
- 7.13 As indicated in Table 18, the demand for this priority entitlement has remained steady as the number of persons being medically released from the CF has grown. It is worth noting that the number of indeterminate appointments resulting from this priority entitlement has increased over the past fiscal year, with an additional 49% finding indeterminate employment in the public service. As of March 31, 2009, there were 241 medically released priority persons remaining in PIMS. All were former CF members except for three, who were from the RCMP.

**Table 18 – Canadian Forces and Royal Canadian Mounted Police:
New entitlements compared to appointments**

	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009
New entitlements	60	78	206	244	259
Appointments	36	48	112	138	205

Source: Priority Information Management System

- 7.14 Unlike most other persons with priority entitlement, former CF members who meet the criteria laid out in section 8 of the PSER are not public servants and generally do not have an understanding of the federal public service and its staffing system. The PSC continues to work closely with the Department of National Defence to help increase their knowledge and awareness.

Enabling infrastructure

- 7.15 The PSC continues to support departments and agencies by facilitating the recruitment to the public service of talented Canadians drawn from across the country. The PSC also continues to support deputies, managers, employees and Canadians by providing efficient approaches to staffing, standardized assessment products and modern electronic tools and systems. The ongoing demand for PSC services in 2008-2009 demonstrates a continued need for a central service provider. The PSC also acts as a centre of expertise in offering innovative staffing and assessment services.
- 7.16 In order to ensure that the services it provides meet the needs of organizations on an ongoing basis, in 2008-2009 the PSC, with the support of the Clerk of the Privy Council, created a Deputy Minister Advisory Committee on PSC Staffing and Assessment Services. The Committee advises the PSC on issues concerning the delivery of its staffing and assessment services.

Recruitment of post-secondary graduates

- 7.17 The PSC offers two programs for the recruitment of post-secondary graduates: Post-secondary Recruitment (PSR) and Recruitment of Policy Leaders (RPL). These programs support organizations seeking to hire new, highly qualified public servants and provide efficient and effective testing and assessment of candidates.
- 7.18 **The Post-secondary Recruitment program** – The PSR is an annual campaign that supports staffing on a national scale for departments and agencies, as well as for functional communities. The Public Service Resourcing System (PSRS) supports this program by accelerating the screening process and allowing for the efficient management of applications.
- 7.19 The PSR has two components: career choices to attract graduates to specific areas of employment; and the general inventory, which offers a broader range of opportunities. The career choices are determined in consultation with hiring organizations. Applicants may apply to both components, allowing departments and agencies to staff a wide range of jobs from a large pool of candidates.
- 7.20 The fall 2008 PSR campaign was the largest one to date, with 38 targeted career choices advertised, including one functional community job stream. There were 26 492 applicants in the 2008-2009 campaign; over 35 000 tests were administered in more than 100 locations across the country and abroad. In addition, the PSC invited graduates to submit their applications to the PSR general inventory.

...to ensure that the services it provides meet the needs of organizations on an ongoing basis, in 2008-2009 the PSC, with the support of the Clerk of the Privy Council, created a Deputy Minister Advisory Committee on PSC Staffing and Assessment Services.

- 7.21 Approximately two thirds of PSR applicants identified their first official language as English (66%) and one third French (34%). The PSR program also contributes to building a representative public service. In 2008-2009, the proportion of visible minority applicants was well above workforce availability (41.4% versus 12.4%), while the percentages of applicants from the three remaining employment equity groups were somewhat below workforce availability, as illustrated in Table 19 below.

Table 19 – Representation of employment equity group members among post-secondary recruitment applicants in 2008-2009

Visible minorities		Aboriginal peoples		Persons with disabilities		Women	
2008-2009	Workforce availability	2008-2009	Workforce availability	2008-2009	Workforce availability	2008-2009	Workforce availability
41.4%	12.4%	1.7%	3.0%	2.6%	4.0%	50.1%	52.3%

Source: Public Service Resourcing System and the Office of the Chief Human Resources Officer for workforce availability figures

- 7.22 As a result of the PSC's PSR services, about 1 700 graduates were hired in 2008-2009, approximately 42% of the public service renewal target of 4 000 graduates. In fall 2009, the PSC will again promote the PSR campaign to help federal organizations work towards achieving the recruitment targets set out by the Clerk of the Privy Council in the 2009-2010 Public Service Renewal Action Plan.
- 7.23 The PSC promotes the use of its post-secondary recruitment programs and the PSR general inventory to all departments and agencies, through the Human Resources Council, regional federal councils and special public service renewal initiatives.
- 7.24 **The Recruitment of Policy Leaders program** – Introduced in 2005, RPL enhances the capacity for policy analysis and development in the federal public service. The program attracts exceptional Canadian graduates with significant expertise in a number of areas, including national security, health, social development and environmental concerns, and allows departments and agencies to appoint candidates to policy positions. These graduates have not only achieved academic excellence and acquired previous policy-related experiences, but they have also demonstrated leadership through their work, volunteer activities or academic studies. Since its inception, the PSC has led five annual RPL recruitment campaigns.

- 7.25 Four federal departments and agencies have made the greatest use of the RPL program: Foreign Affairs and International Trade Canada, Heritage Canada, the Canadian International Development Agency and Environment Canada.
- 7.26 In 2008-2009, 48 candidates were qualified into the program and 26 were appointed to the public service. The PSC and its RPL partners also undertook a pilot recruitment strategy for the Economics and Social Science Services community. Candidates screened into the RPL assessment phase will be considered not only for the program, but also for a partially assessed pool. This pool will be available to all managers interested in staffing entry-level policy positions and will be marketed by the PSC and its RPL partners to all organizations.
- 7.27 An evaluation of RPL conducted last year recommended permanent funding and a developmental component to complement the program. The PSC is currently awaiting the identification of a new Deputy Minister champion for the RPL program and will follow up with the new appointee on the implementation of the evaluation's recommendations.

Table 20 – Recruitment of Policy Leaders

Fiscal year	Number of campaigns	Number of applicants	Number of qualified candidates	Number of appointments
2005-2006	2	2 084	95	66
2006-2007	1	1 005	51	29
2007-2008	1	996	60	32
2008-2009	1	1 485	48*	26

Source: Public Service Resourcing System for the number of campaigns and number of applicants and program recruitment files for the number of qualified candidates and the number of appointments

* Represents the number of qualified candidates at the time, and before the reference checks were completed.

Recruitment of students for temporary employment

- 7.28 The PSC manages three recruitment programs to hire students on a temporary basis: the Federal Student Work Experience Program (FSWEP), the Research Affiliate Program (RAP) and the Co operative Education and Internship Program (CO-OP). The PSC's policy to use a NAOS now applies to all student recruitment programs.

■ ■ ■
 The Federal Student
 Work Experience
 Program attracted
 63 100 applicants,
 which led to 9 932
 student hires.
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- 7.29 **Federal Student Work Experience Program** – The FSWEP is the primary vehicle through which federal departments and agencies recruit students for temporary jobs. Candidates must be full-time secondary or post-secondary students at an accredited institution. They must also be returning to full-time studies in the next academic term and have reached the minimum age to work in the province or territory in which the job exists.
- 7.30 In 2008-2009, the FSWEP attracted 63 100 applicants, which led to 9 932 student hires. Compared to last year, this represents a 7% increase in students applying to the FSWEP. These students submitted a total of 150 123 applications to be considered for the general FSWEP inventory as well as for the 23 targeted departmental student programs.
- 7.31 The federal Budget released in January 2009 allocated \$20 million for student employment over the next two years. This funding will create opportunities for departments and agencies to access students in greater numbers, increasing work experience for students and, at the same time, providing a valuable labour market for departments and agencies.

Table 21 – Federal Student Work Experience Program activities

	2006-2007	2007-2008	2008-2009
Number of applicants	71 402	58 681	63 100
Hires	9 574	9 810	9 932

Source: Public Service Resourcing System and PSC hiring and staffing activities files

- 7.32 **Research Affiliate Program** – The RAP recruits post-secondary students looking for research experience. It is a unique program that matches a student's particular research interests with federal public service projects. The program was designed to help the public service conduct research, retain possession of intellectual property and patents and promote the transfer of scientific findings. The RAP continues to grow in popularity and has attracted highly qualified researchers, including one who was selected to be one of the 16 finalists for the astronaut program at the Canadian Space Agency. Some organizations have indicated that this program is more tailored to their hiring needs. Consistent with this, an increase of 29% in initial hires was observed in 2008-2009, as well as a 100% increase in re-hires.

Table 22 – Research Affiliate Program

Fiscal year	Applications	Referrals	Hires	Re-hires
2007-2008	757	313	69	75
2008-2009	1 152	832	122*	151

Source: Public Service Resourcing System and PSC recruitment files

*Of the 122 hires, 23 students were paid through a stipend or bursary and as such are not included in the student hiring figures reflected in Appendix 7, Table 43.

7.33 Several special RAP initiatives were conducted in 2008-2009, including the following notable successes:

- Students Providing Aligned Research and Knowledge (SPARK) is a program that provides the means to better match the intellectual capacities of students and professors in academia with public service research needs. SPARK is a new pilot initiative launched in fall 2008 by the Canada School of Public Service (CSPS) in co-operation with the PSC. The program is targeted at university graduate students and, in its pilot phase, was limited primarily to those public service organizations with a Deputy Minister University Champion. There were 248 student referrals to the initiative. The pilot will be extended for another academic term and will also be expanded to include all federal organizations.
- The Department of Natural Resources will be using RAP students as part of their Geo-Mapping for Energy and Minerals Program. The program is funded at \$100 million over five years and is focused on public geoscience in Northern Canada. The opportunities for the program were posted in 2008-2009 and referrals will be completed in the next fiscal year.

7.34 **Co-operative Education and Internship Program** – The objective of the CO-OP program is to provide post-secondary students with on-the-job training. Co-operative education alternates classroom instruction with work placements in the student's field of study. The internship program offers supervised, on-the-job training assignments designed to give students the required skills and knowledge for entry into a trade or profession. More than 4 200 placements were made in 2008-2009.

7.35 One of the PSC's roles is to confirm that the CO-OP programs offered by post-secondary institutions meet the eligibility criteria for work placements in the federal public service. In 2008 2009, two new CO-OP programs were determined to be eligible: the Masters Bilingual, Public and International Affairs Program at the Glendon Campus of York University and the Experiential Learning Program at the University of Ottawa.

7.36 The CO-OP program has seen an increasing number of appointments over the years, due to greater outreach by the PSC to both organizations and educational institutions.

More than 4 200
(CO-OP/Internship)
placements were made
in 2008-2009.

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In 2008-2009, there were 26.5 million visits to the (jobs.gc.ca) Web site, an 82.2% increase over five years.

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Based on the number of applications for known vacant positions, there was an average of 100 applications per vacancy.

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Table 23 – Co-operative or Internship Program placements

	2005-2006	2006-2007	2007-2008	2008-2009
Placements	3 434	3 465	3 757	4 216

Source: Public Service Resourcing System and PSC hiring and staffing activities files.

Recruitment statistics and volumes

- 7.37 The PSC continues to connect potential employees with federal public service jobs. The *PSC Policy on Advertising in the Appointment Process* requires that opportunities open to the public be advertised on the PSC Web site at jobs.gc.ca and on Infotel or another toll-free telephone service that allows Canadians to hear the same advertisements.
- 7.38 Job seekers are making increased use of the Internet when seeking job opportunities in the public service. The PSC tracks the total number of visits to jobs.gc.ca and the number of calls to Infotel and related services. Over the last five years, use of the Web site has increased, while use of Infotel and related services has decreased. In 2008-2009, there were 26.5 million visits to the Web site, an 82.2% increase over five years. In comparison, there were 57 325 calls to Infotel, a 50.7% decrease over five years.
- 7.39 In 2008-2009, 4 995 advertisements for an anticipated 10 332 positions were posted on the jobs.gc.ca site by the PSC and by departments and agencies with direct access to the PSRS, an e-staffing system for all external and student hiring for the Government of Canada. In response to these advertisements, more than 300 000 job seekers submitted approximately 1 million applications. Based on the number of applications for known vacant positions, there was an average of 100 applications per vacancy.
- 7.40 The availability of applicants for public service occupations varies greatly. Table 24 presents the ten occupational groups advertised on jobs.gc.ca with the highest ratios of applications to positions available in 2008-2009 and the ten groups with the lowest such ratios. For those groups with a high ratio of applications to positions available, hiring managers might benefit from volume management strategies. Collective staffing may be more appropriate, efficient and cost effective when used for hiring into entry levels or when there is a significant number of similar positions to be staffed. For those groups with a low ratio of applications to positions available, managers may benefit from using an outreach strategy that goes beyond advertising on the PSC's Web site.

Table 24 – Occupational groups by ratio of applications to positions available

Highest 10 occupational groups by ratio of application to positions available		Lowest 10 occupational groups by ratio of application to positions available	
2008-2009		2008-2009	
Classification	Ratio	Classification	Ratio
SC - Ships' Crews	4 472	MA - Mathematics	23
FS - Foreign Service	1 439	TR - Translation Group	22
CX - Correctional Services	1 072	AO - Aircraft Operations	22
PI - Primary Products Inspection Group	430	EX - Executive Group	21
SO - Ships Officer's Group	413	SR - Ship Repair	16
SG - Scientific Regulation / Patent Examination	243	OP - Occupational and Physical Therapy Group	16
WP - Welfare Programs Group	241	RO - Radio Operations	10
ST - Secretarial, Stenographic and Typing Group	205	ND - Nutrition and Dietetics	10
RE - Research Group	200	HP - Heating, Power and Stationary Plant Operations	9
CR - Clerical and Regulatory	183	PH - Pharmacy	8

Source: Public Service Resourcing System

- 7.41 **Educational profile of applicants to external advertisements** – Of the more than 300 000 individuals who responded to advertised external opportunities in 2008-2009, approximately 74% reported having at least a post-secondary diploma or degree. Table 25 shows the distribution of academic level by employment category.
- 7.42 Notably, approximately 66% of applicants to positions in the Clerical and Secretarial category (e.g. Clerical and Regulatory group, levels 1 through 5) indicated that they had at least a post-secondary diploma or degree, whereas the minimum educational requirement of the Treasury Board of Canada Secretariat's Occupational Groups Qualification Standards is for two years of secondary school or employer-approved alternatives.

Of the more than 300 000 individuals who responded to advertised external opportunities in 2008-2009, approximately 74% reported having at least a post-secondary diploma or degree.

Table 25 – Highest academic level reported by applicants to advertised external processes in 2008-2009

Employment category	High school or less	Some post-secondary credits	College diploma	Bachelor's degree	Master's degree	Doctorate	Unknown
Professional and Administrative	9.5%	9.9%	19.7%	40.0%	11.8%	2.3%	6.8%
Executive	5.5%	3.9%	14.6%	34.4%	29.6%	7.5%	4.5%
Computer Related, Technical and Scientific	5.1%	10.0%	14.1%	44.4%	15.4%	4.3%	6.7%
Clerical and Secretarial	16.1%	11.8%	23.3%	35.3%	6.2%	0.9%	6.4%
Labour and Trades	13.5%	13.9%	16.5%	39.5%	8.9%	1.4%	6.4%
Average Overall	9.93%	9.9%	17.6%	38.7%	14.4%	3.3%	6.2%

Source: Public Service Resourcing System

Note: Educational information for applicants who applied to multiple employment categories is included in each of the five employment categories to which the applicant applied. A single applicant may be included in the table up to five times, depending on the number of categories to which they applied.

- 7.43 Applicants continue to come from across Canada, with the majority (64.7%) residing in Ontario and Quebec. Although applicant residency figures in 2008-2009 fluctuated slightly from those reported in 2007-2008, the overall distribution remained unchanged, with applicant figures for nine of the country's provinces/territories being equal to or greater than their share of Canada's population (i.e. Manitoba, Ontario, New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland and Labrador, Yukon, Northwest Territories and Nunavut). Again in 2008-2009, the four provinces in which the percentage of applicants was lower than their share of Canada's population were Alberta, British Columbia, Quebec and Saskatchewan, reflecting a highly competitive labour market in these regions during the reporting period (see Table 34, Appendix 7).
- 7.44 **Official language profile of applicants to external positions** – Applicants for public service jobs remain representative of Canada's linguistic duality. In 2008-2009, English was identified as the first official language by 74.1% of applicants, up only slightly from 73.3% in 2007-2008. French was identified as the first official language by 25.9% of applicants, compared to 26.7% in 2007-2008.

PSC-led pools

- 7.45 In modernizing its services, the PSC strives to proactively use the flexibilities of the Act to respond to common needs and increase efficiencies in staffing, such as through the support of collective staffing approaches and the creation of candidate pools or inventories. As a common service provider, the PSC can take advantage of the economies of scale offered by its established role, expertise and investments in resourcing services, technology and its seven offices across Canada.
- 7.46 **Hiring optimization analysis** – Occupations with an ongoing need to staff are particularly suitable for collective staffing approaches. With this in mind, in 2008-2009 the PSC examined entry-level positions for the Clerical, Administration and Program Management Groups to verify whether these groups could benefit from such an approach. The PSC analysed merit criteria in a sample of advertisements for entry-level positions (CR-3/4/5, AS-1/2 and PM-1/2) in seven departments. The analysis revealed that, while some requirements differed, there were also many similarities (e.g. ability to communicate, ability to organize and plan, ability to prioritize, effective interpersonal relationships and client service focus). Job requirements were similar both within and across occupational groups and across different organizations and types of processes (internal or external). For example, 93% of all advertisements that were reviewed included “ability to communicate” in their requirements. As well, 64% of advertisements for the CR-4, AS-1 and AS-2 groups and levels included “ability to prioritize” in their requirements. These similarities suggest that cost-effective opportunities exist to develop standardized assessment instruments with portable results for positions sharing common requirements.
- 7.47 PSC-led pools of pre-qualified candidates who meet the necessary minimum criteria are a good resourcing option for managers to find candidates quickly and for candidates to be referred for similar positions. Managers not only meet their hiring needs but can also be assured that the processes have been designed to respect the values of access, transparency, fairness and representativeness.
- 7.48 PSC-led pools and inventories are created to meet the hiring needs of federal government organizations to staff similar positions. The pools are comprised of candidates who have met the necessary minimum criteria to be included in the pool. Inventories are created without any candidate assessment but allow hiring managers to proceed with their own assessment methods.

In 2008-2009,
43 PSC-led pools
and 4 inventories were
created, most of which
focused on entry-level
positions in the Program
and Administrative
Services groups.

- 7.49 In 2008-2009, 43 PSC-led pools and 4 inventories were created, most of which focused on entry-level positions in the Program and Administrative Services groups. The level of assessment for PSC-led pools varied in response to the needs of the organization for which the pools were established. Further pools and inventories are under development and will be made available to organizations in 2009-2010.

Executive resourcing services

- 7.50 While deputy heads have been delegated to make appointments at the senior executive levels, the PSC continues to offer executive resourcing services for appointments at the EX-1 to EX-3 level on a cost-recovery basis. This long-standing service continues to be a highly efficient staffing model and includes essential staffing components such as advice and guidance, posting of advertisements, creation of assessment tools and support to the hiring manager during the assessment phase (e.g. during the interview and/or the integration of assessment information phases). In 2008-2009, the PSC received 189 requests for its services in this area.
- 7.51 Following the government's *Human Resources Horizontal Strategic Review*, staffing services for EX-4 and EX-5 were transferred to the PSC from the Canada Public Service Agency (now known as the Office of the Chief Human Resources Officer). These staffing services will be provided to organizations on a cost-recovery basis, consistent with the service offered for EX-1 to EX-3 levels.
- 7.52 Following the release of the government-wide *Audit on Executive Appointments* last year, the PSC committed to reviewing the services it provides to departments and agencies. In 2008-2009, the PSC completed a review of the EX resourcing services that it offers to federal organizations. In 2009-2010, the PSC will implement additional quality control assurance mechanisms based on the findings of this year's review.

Assessment services and products

- 7.53 The PSC provides a range of mandatory and optional assessment services and products to federal organizations. Mandatory instruments include the PSC's Second Language Evaluation (SLE) tests, which must be used by federal organizations subject to the PSEA when staffing bilingual positions. Optional assessment instruments and services include occupational tests, management tests, executive counselling services and other customized assessment services, for both the executive and non-executive levels. These latter tests and services are offered to federal organizations on a cost-recovery basis.

- 7.54 The PSC also offers instruments for assessing management and leadership competencies, including in-basket exercises, simulations and assessment centres such as Simulations for Executive Selection. These instruments provide hiring managers and candidates with significant information about a candidate's management strengths and developmental needs. The PSC also provides career-oriented assessment and coaching services to the executive cadre and to the executive feeder groups.

Assessment volumes

- 7.55 In 2008-2009, testing volumes increased slightly for SLE and remained relatively stable for a number of other assessment services, such as executive counselling services. However, for the first time in several years, organizational use of PSC occupational tests decreased by 28%. This decline is likely associated with the transition of occupational test services to a cost-recovery basis, which began in 2008-2009. In 2009-2010, the PSC will continue to explore alternative assessment approaches that are more economical yet still effective for hiring managers and organizations.
- 7.56 The PSC provides executive reference checking services on a cost-recovery basis. Executive reference checks are required by policy and are an integral part of appointment processes at the executive levels. When conducted appropriately, they can be invaluable in identifying and averting potential hiring problems and associated costs. In 2008-2009, the use of PSC EX reference check services remained stable.
- 7.57 Demand from departments and agencies remained strong for developmental assessment tools such as the Simulations for Identification of Leadership (SIL). SIL evaluates a candidate's competencies in relation to the Key Leadership Competencies Profile and is a rich and valid source of information for the development of leadership competencies.
- 7.58 In 2008-2009, demand remained relatively stable for PSC coaching and counselling services. The PSC served 938 individual clients in 2008-2009, and demand for specific developmental services such as the Identification of Paths to Executive Development (IPEX) continued to grow (102 in 2008-2009). Introduced in 2006-2007, IPEX provides participants with comprehensive, multi-session feedback from registered psychologists and executive coaches on their leadership potential and competencies. The service is relevant for both employees interested in executive career progression and organizations engaged in organizational and succession planning.

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Table 26 – Assessment volumes

Assessment	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	Change (over last year)
All tests and assessments (including SLE tests)	112 318	162 200	180 591	237 112	216 132	-8.9%
EX entry-level assessment	309	485	544	460	277	-39.8%
EX-3 simulation	2	3	4	54	15	-72.2%
EX reference checks	2 103	2 246	1 892	1 565	1 561	-0.003%

Source: Test Scoring and Results Reporting System, Assessment Centre Integrated Information System, Personnel Psychology Centre as of March 31, 2009

Tailored assessment tools and services

- 7.59 On a fee-for-service basis, the PSC offers a wide range of customized assessment services to departments and agencies with specific assessment needs. These services include the development and administration of tailored assessment products and services. For example, in 2008-2009, the PSC customized its simulations for several organizations, developed specialized selection instruments for identifying future leaders at Human Resources and Skills Development Canada and created specialized selection instruments for specialists with Environment Canada.
- 7.60 In 2008-2009, the PSC noticed increased interest in lower-cost selection tools such as the Career Achievement Records (CAR). The CAR is a competency-based tool that can assist departments and agencies with the assessment of candidates during the initial stages of the selection process. In the CAR, candidates describe their competencies by giving examples of relevant achievements. These descriptions are scored by assessment boards comprised of experienced executives and psychologists, who ensure that the scoring process is standardized, fair and reliable. In 2008-2009, the PSC administered over 175 CARs in the context of two organizational appointment processes at the EX-1 level.

Since 2006-2007, the PSC has been assisting Environment Canada (EC) with their annual **Meteorologist Recruitment Program** campaign. In 2008-2009, EC meteorologists and the PSC finished the third year of assessment operations assessing candidates for entry-level meteorologist positions using a standardized tool. By using a standardized PSC simulation, EC is better able to find qualified recruits with both the scientific knowledge and the person-environment fit required for these unique, often high-stress positions.

Test accommodation

- 7.61 Federal organizations are obligated to accommodate persons with disabilities under the *Employment Equity Act* and the joint PSC / Treasury Board of Canada Secretariat *Policy on Duty to Accommodate Persons with Disabilities in the Federal Public Service*. The PSC establishes accommodation measures for its tests and produces alternate test formats as required.
- 7.62 In 2008-2009, the PSC continued to establish accommodation measures for PSC tests for persons with disabilities and to provide advice on a fee-for-service basis to departments and agencies on accommodation for organizational tests. Overall, the PSC observed an increase of 6.5% in the number of requests for accommodation for PSC tests — 2 442 requests were received in 2008-2009, compared to 2 294 in 2007-2008. In addition to consulting on accommodation measures, the PSC produced over 200 new alternate test formats (e.g. Braille, large font and text-to-speech) for persons with disabilities.

Second language evaluation

- 7.63 The PSC is responsible for evaluating second official language proficiency for staffing purposes. It fulfills this mandate by developing, monitoring and supplying and/or administering standardized tests for reading comprehension, written expression and oral proficiency. The PSC also certifies organizational test administrators to administer the reading and written expression tests. As well, the PSC selects, trains and certifies language assessors to administer the Test of Oral Proficiency.
- 7.64 In 2005-2006, the PSC launched a multi-year plan to develop and implement new generations of its three SLE tests. The new SLE Test of Written Expression was introduced in October 2007; the new SLE Test of Oral Proficiency was introduced in 2008-2009. In 2008-2009, the PSC also continued its development of the new SLE Reading Comprehension Test.

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The PSC plans to complete development and implement the new Reading Comprehension Test by March 31, 2010.

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In 2008-2009, the PSC saw a 7.6% increase in SLE testing... representing an overall increase of 59% in testing levels over the last five years....

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The PSC plans to complete development and implement the new Reading Comprehension Test by March 31, 2010. With modernized assessment instruments, the PSC can continue to ensure that second language requirements for bilingual positions are assessed fairly, objectively and consistently across all federal organizations that are subject to the PSEA.

- 7.65 Following a two-year pilot project, the PSC implemented the Tripartite Review Board on a cost-recovery basis in 2008-2009. The Board's mandate is to review the cases of employees who have difficulty attaining oral proficiency in their second language. The Board consists of three members, representing the CSPA Language Training Centre, the PSC's Personnel Psychology Centre and the employee's department or agency. Recommendations may include strategies for training and testing as well as suggestions regarding possible interventions, e.g. work assignments in the second official language. The review process is entirely voluntary. Two cases were reviewed and recommendations were made to the requesting organizations.
- 7.66 In 2008-2009, the PSC saw a 7.6% increase in SLE testing (to 102 081 assessments from 94 864 the previous year), representing an overall increase of 59% in testing levels over the last five years (102 081 assessments in 2008-2009 compared to 62 248 in 2004-2005). In 2008-2009, the annual increase was largest for the Test of Written Expression, followed by the Reading Comprehension Test and the Test of Oral Proficiency.

Table 27 – Number of second language evaluation tests administered by test and year, showing percentage change over the previous year

Assessment	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	Change (over last year)
Reading	20 610	26 319	27 244	32 894	34 967	6.3%
Written expression	23 347	28 950	29 887	36 139	39 779	10.1%
Oral proficiency	20 291	22 963	24 327	25 831	27 335	5.8%
TOTAL	64 248	78 232	81 458	94 864	102 081	7.6%

Source: Test Scoring and Results Reporting System, Personnel Psychology Centre as of March 31, 2009

- 7.67 In 2008-2009, three quarters of the SLE oral proficiency tests administered were for staffing bilingual imperative positions (54.2%) or for training or non-imperative staffing purposes (21.3%). The remaining tests were administered for other purposes, such as the re-identification of language requirements for a position.

- 7.68 In 2007-2008, the PSC introduced service standards for second language oral proficiency testing. In 2008-2009, the PSC successfully met these standards in every case. Requests for oral proficiency testing related to imperative staffing were consistently filled within the two-week standard, and service times for testing related to language training and other purposes were substantively less than the four- and ten-week standards for these testing purposes, respectively.
- 7.69 **Pass rates for the English and French Test of Oral Proficiency by level and year** – The PSC tracks pass rates for its second language oral proficiency tests. Table 28 illustrates pass rates over the last three fiscal years (2006-2007 to 2008-2009) for all levels combined, for the B and C proficiency levels, as well as for the C level for executives. Across this three-year period, pass rates for the English test, for all levels combined, increased slightly, from 81.8% in 2006-2007 to 83.4% in 2007-2008, and remained stable at 83.6% in 2008-2009. During this same period, the pass rates for executives at level C decreased from 77.8% to 70.4%. The pattern of combined results (A, B and C) on the French test was similar. Combined pass rates for the French test increased from 61.9% in 2006-2007 to 66.4% in 2007-2008, and remained stable at 66.5% in 2008-2009. During this same three-year period, the pass rates for executives at level C increased from 49.2% in 2006-2007 to 58.1% in 2008-2009. The reasons for these variations in pass rates are difficult to determine due to the varied range of factors influencing the results, including the changing profile of those taking the tests, demographics and policy changes.

Table 28 – Pass rates for the English and French Test of Oral Proficiency by level and year*

Level	2006-2007		2007-2008		2008-2009	
	French	English	French	English	French	English
All levels (A, B, C combined)	61.9%	81.8%	66.4%	83.4%	66.5%	83.6%
Level B only	72.2%	89.5%	76.0%	90.4%	76.6%	91.4%
Level C only	48.5%	66.5%	53.5%	66.6%	48.9%	64.1%
– Level C executives only	49.2%	77.8%	57.2%	74.1%	58.1%	70.4%

Source: Test Scoring and Results Reporting System, Personnel Psychology Centre as of March 31, 2009

*Pass rates reflect the number of successful tests at a given level, divided by the total number of tests for which that level is required, expressed as a percentage. Levels A, B and C correspond to basic, intermediate and advanced levels of second language proficiency.

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*In 2009-2010,
the PSC will replace
the tests found to
be compromised and
will initiate a process
to re-test students who
took the SLE reading
and/or writing tests
after receiving language
training from
Nec Plus Ultra....*

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*...the PSC will continue
to move away from
paper-and-pencil
testing to more secure
on-line testing....*

Security of PSC tests

- 7.70 In 2008-2009, the PSC undertook an audit after receiving information suggesting that the private language school Nec Plus Ultra (NPU) was in possession of PSC SLE tests. The audit concluded that NPU possessed and used versions of the PSC SLE reading and writing tests, and that this was done without the authorization of the PSC. The audit report tabled on May 14, 2009, can be found on the PSC Web site at www.psc-cfp.gc.ca.
- 7.71 The PSC is committed to implementing the recommendations set forth in the audit report. In 2009-2010, the PSC will replace the tests found to be compromised and will initiate a process to re-test students who took the SLE reading and/or writing tests after receiving language training from NPU during the period subject to the audit. When the security of a test is compromised, it can bring into question the integrity of certain test results. The PSC recognizes that former NPU students may not have been aware that some of the training material being used by NPU was inappropriate. However, because the integrity of test results is critical to ensuring merit in appointment processes, re-testing is essential to ensure that past and/or future appointments of former NPU students respect the merit principle.
- 7.72 In 2008-2009, the PSC also reviewed its test security practices. The recommendations arising from this review are under way and will continue into 2009-2010 and beyond. For example, the PSC is enhancing its own capacity to monitor test security and will foster awareness in federal organizations about the need to ensure and to monitor test security within their own organizations. In addition, the PSC will continue to move away from paper-and-pencil testing to more secure on-line testing, to assist departments and agencies interested in establishing their own e-test centres and to explore how new technologies, such as computer-generated testing, can reduce the impact of the inappropriate disclosure of test content.

E-testing and assessment innovations

- 7.73 In 2008-2009, the PSC continued its emphasis on progressively expanding its e-testing services. E-testing is a fast, efficient and more secure way to conduct testing. It accelerates test administration, scoring and communication of test results and reduces the overall costs of testing.
- 7.74 In 2008-2009, the PSC worked with departments and agencies to expand the number of organizational e-testing centres to 127 and the number of certified public service employees qualified to administer these e-tests to 300. Organizations such as Service Canada and Statistics Canada launched their first centres to deliver PSC e-tests.

- 7.75 The PSC also increased the number of e-tests available to departments and agencies. The PSC converted two of its most popular cognitive ability tests to e-test format, bringing to seven the total number of e-tests available for use in selection processes. These two tests are particularly well-suited for use in managing large applicant volumes for administrative services and officer-level positions.
- 7.76 The PSC continues to modernize its assessment offerings to meet the needs of hiring managers and job applicants. In 2008-2009, the PSC began development of two unproctored instruments. Unproctored instruments are tests and other assessment tools that are administered over the Internet to candidates in unsupervised settings.
- The first instrument under development is an unproctored cognitive ability test that will be used to conduct an initial assessment of the reasoning skills of candidates. Hiring managers will be able to use this instrument to screen applicants for certain administrative and clerical positions such as CR-5, AS-1 and AS-2. If a hiring manager chooses the unproctored option, applicants will take the unproctored test as part of the initial application process. Only those candidates who pass the unproctored test and meet the other screening requirements will be assessed further. Before an appointment is made, unproctored test scores will be validated in a supervised test session by administering a different measure of cognitive ability.
 - The second unproctored instrument under development is a self-assessment questionnaire designed to assist potential applicants to gauge their second language written expression skills in relation to the second official language standards (A, B and C) for bilingual positions. It is designed to assist applicants in making informed choices about whether to apply for a position with second official language writing requirements. The assessment results are for the use of potential applicants only. Candidates who apply for bilingual positions will still require valid results on the PSC's SLE Test of Written Expression, which is administered in a proctored testing session.
- 7.77 Both of these unproctored tools will be implemented on a pilot basis in 2009-2010. These instruments will provide cost-effective methods of helping to manage high applicant volumes.

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*The PSC continues
to modernize its
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managers and job
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Public Service Staffing Modernization Project

- 7.78 As part of the ongoing modernization of staffing, the PSC has continued to lead the Public Service Staffing Modernization Project in collaboration with organizational stakeholders. In 2008-2009, the PSC:
- Continued the development and management of the PSRS, an e-recruitment system that supports external recruitment for federal government jobs;
 - Further expanded direct access by departments and agencies to the PSRS;
 - Piloted the Extreme Hiring Makeover, a model for recruiting and assessing candidates, from advertisement to appointment, in 45 days;
 - Worked with departments and agencies to define the business needs and develop a business case for a comprehensive solution for both internal and external staffing; and
 - Initiated a revamp of the jobs.gc.ca Web site, using a phased approach in partnership with the Office of the Chief Human Resources Officer to make the site more interactive and functional for job seekers.
- 7.79 The next phase of modernization — e-staffing — will focus on priority areas identified by departments and agencies, including the following:
- Integrating internal staffing (currently done through Publiservice) with external staffing (PSRS);
 - Optimizing and streamlining staffing processes; and
 - Building tools friendly to job seekers, HR and managers.
- 7.80 The PSC will be seeking further funding in 2009-2010 to continue operation of the PSRS after 2011 and to develop a comprehensive solution for both internal and external staffing over the next five years. In the meantime, the PSC is working with departments and agencies to deliver early results — low-cost strategies that maximize PSEA flexibilities and optimize existing tools. Examples include continued improvements to the jobs.gc.ca Web site, Extreme Hiring Makeovers, improved e-collaboration across departments and agencies (e.g. GCPedia) and expanded e-testing. The PSC will continue to operate the PSRS and expand direct access of the system to departments and agencies, as required.

■ ■ ■

...the PSC is working with departments and agencies to deliver early results — low-cost strategies that maximize PSEA flexibilities and optimize existing tools.

■ ■ ■

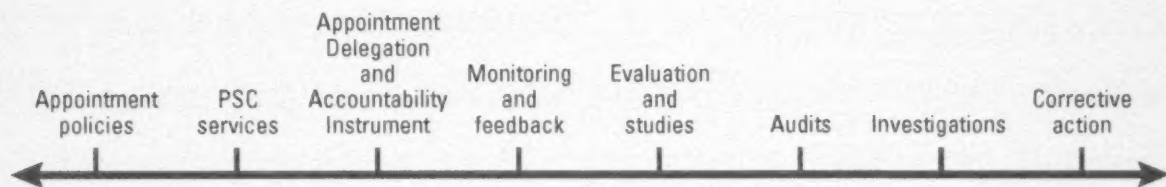
Appendices



Appendix 1

1A-Public Service Commission continuum of tools for ensuring merit

The continuum of tools for ensuring merit



Appointment policies

The first element of the continuum is the Public Service Commission (PSC) suite of policies that, along with the *Public Service Employment Act* (PSEA) and its Regulations, provide direction and guidance to departments and agencies on the minimum requirements for their staffing systems. The PSEA provides that, when a deputy head exercises powers or functions that the PSC has delegated, the deputy head is subject to PSC policies on making and revoking appointments and on taking corrective action.

PSC services

The PSC continues to support departments and agencies by facilitating the recruitment to the public service of talented Canadians drawn from across the country. The PSC supports organizations by providing services and common systems and tools to enable organizations to more fully exercise their delegated authorities and achieve a values-based appointment system.

Appointment Delegation and Accountability Instrument

The Appointment Delegation and Accountability Instrument (ADAI), which the deputy head must sign in order to receive and exercise delegated authority, spells out all of the authorities and obligations of deputy heads and heads of agencies who accept responsibility for the exercise of that authority. The ADAI forms the basis of the contract between the PSC and departments and agencies. All deputy heads whose organizations are subject to the PSEA have signed an ADAI with the PSC.

Monitoring and feedback

The PSC monitors trends and activities to identify government-wide issues and practices that could pose a risk to the integrity of the staffing system. This monitoring includes a wide range of activities, such as data analysis and review of complaints.

The PSC also monitors the performance of the public service organizations that have delegated appointment authorities to assess the general state of the system. The PSC assesses their staffing performance and provide feedback to deputy heads to ensure continuous improvement in the public service appointment system.

The PSC uses the Staffing Management Accountability Framework (SMAF) to review and assess staffing performance and to provide feedback to delegated organizations. The SMAF sets out the PSC's expectations for a well-managed appointment system that respects the PSEA (see Appendix 3).

Evaluations

One way in which the PSC ensures that the staffing system is functioning well is through government-wide evaluations, e.g. considering the effect of its policies on federal organizations and how well they are responding to the authorities delegated to them by the PSC. One goal of government-wide evaluations is to proactively identify and take advantage of emerging opportunities for improvement.

Studies

Studies involve the gathering of information on issues that need clarification or that are of current parliamentary or public interest. They are normally more descriptive or exploratory in nature than audits. Some studies may be done in partnership with government-wide audits. While still focused on staffing issues, studies usually concentrate on describing a subject or developing an information base, exploring that subject or information base and/or developing a method to assess that subject or information base in the future.

Statistical studies

Statistical studies are analytical studies that make use of the PSC's extensive data holdings in order to shed light on issues related to hiring and staffing activities in the federal public service. Statistical studies usually concentrate on describing in analytical terms how the staffing system functions, addressing specific policy or program issues from an analytical perspective and/or providing analytical support to the PSC's oversight functions.

Audits

The PSC performs audits of the staffing activities of individual government departments and agencies, and of government-wide issues in a number of departments and agencies together. These audits are objective and systematic examinations that provide independent assessments of the performance and management of staffing activities. Their purpose is to provide objective information, advice and assurance to Parliament and, ultimately, to Canadians on the integrity of the appointment process in the public service.

Government-wide audits

Government-wide audits cover cross-cutting issues and staffing activities across several departments and agencies. The PSC may, when appropriate, base its conclusions on a sample of organizations. Government-wide audits provide independent assessments of the performance and management of staffing activities in organizations subject to the PSEA. They provide objective information, advice and assurance to Parliament and, ultimately, to Canadians on the integrity of the appointment process in the federal public service.

Entity audits

Entity audits cover the staffing activities and issues of individual government departments and agencies. Generally, the objectives of these audits are to determine whether an organization has the appropriate framework, systems and practices in place to manage its staffing activities and to determine whether staffing activities complied with the PSEA, other governing authorities and policies and the instrument of delegation signed with the PSC. The PSC may make recommendations to deputy heads in its audit reports and conduct follow-up audits to ensure that the organization has taken the corrective actions prescribed to resolve the issues raised.

Follow-up audits

As a result of its audits, the PSC makes recommendations to departments and agencies for improvement in their staffing systems and practices. The PSC may also remove or impose conditions on the delegation of staffing authority. It monitors the implementation of the recommendations and conducts follow-up audits. In those situations in which the PSC has imposed conditions on the delegation of staffing authority, it proceeds with follow-up audits when the results of the monitoring activities indicate that significant improvements have been made and the organization may be in a position for the PSC to remove those conditions.

Investigations

The PSEA provides the PSC with the authority to investigate staffing activities and political activities in the following cases:

- External appointments;
- Internal appointments, if not delegated;
- Delegated internal appointments, at the request of deputy heads;
- Appointments involving possible political influence;
- Appointment processes in which fraud is suspected; and
- Allegations of improper political activities.

The PSC investigates staffing actions when there is indication of a possible problem (such as failure to follow the Regulations or PSC policies) that may have affected the appointment process. The PSC conducts investigations to establish relevant facts where concerns have arisen. Depending on the results of the investigation, corrective measures may be proposed, considered and taken. The PSC may receive information concerning a specific staffing process from a variety of sources, including employees, the public, unions, the media and staffing audits.

Under the PSEA, deputy heads are responsible for conducting their own investigations into the internal processes that they carry out under their delegated authority, before revoking an appointment or taking corrective action. Deputy heads can choose to conduct their own investigations or ask the PSC to do so on their behalf. Decisions with regard to corrective measures remain with the deputy head.

Corrective action

The PSC's accountability and oversight activities occasionally bring to light problems that can affect the circumstances of an individual or that could even pose a risk to the integrity of the staffing system. If a problem can be addressed through a system-wide solution or directive, the PSC can put in place the appropriate regulation or policy. In other situations, when monitoring, audits or investigations reveal practices that do not conform to the statutory and policy framework of the staffing system, the PSEA gives the Commission the authority to take corrective action in a number of circumstances. Corrective action can encompass a range of activities:

- In case of irregularities in a staffing process, the PSC can require that part or all of the process be re-done or re-evaluated, for example, the re-evaluation of a written test;
- In certain cases, the PSEA authorizes the PSC to revoke appointments. This may occur, for example, if an investigation reveals an error, an omission or improper conduct during an external appointment process, if fraud occurred during an appointment process or if a process was subject to political influence; and
- Since the staffing system is based on delegation of authority from the PSC to deputy heads, the PSC can also impose limits or conditions on the exercise of appointment authorities in a department or agency. In more serious cases, it can withdraw delegation entirely.

These tools are managed in a highly integrated way and contribute to the assessment of integrity of the staffing system. The result of this assessment is reported annually to Parliament. The PSC may also table special reports to Parliament on any matter within the scope of its powers and functions. In addition to providing regular and special reports to Parliament, including those related to audit findings, the PSC makes appearances before various parliamentary committees. The PSC places a high importance on its relationship with Parliament, given its responsibilities for ensuring the overall integrity of the appointment system and the political neutrality of the public service.

1B-Review of Public Service Commission Oversight – Action Plan

Stakeholder Communications

Committee recommendations	Activities/Milestones	Target date
1. To streamline its reporting to Parliament, the PSC should consider providing Parliament with a consolidated report summarizing the results of departmental audit activities while continuing to provide departments with the results of their individual audits. To ensure transparency of reporting, departmental audit reports need to continue to be easily accessible to the public by being placed on the PSC Web site.	To streamline its reporting to Parliament as the number of departmental audits increase, the PSC will experiment with the use of a consolidated report summarizing the results of departmental audit activities. Given sufficient reporting volume, a mock-up of such a report will be developed based on audits reported in 2009 with implementation to follow thereafter.	Mock-up - April 2010 Implementation by September 2011
2. To improve collaboration between the PSC and departments and central agencies, which is essential to effective oversight, the PSC needs to create a regular forum for dialogue on staffing and oversight with the deputy heads of departments and central agencies.	To improve collaboration, the PSC will: • Engage in discussion with the Office of the Chief Human Resources Officer and foster a collaborative working relationship; • Consult with the Deputy Minister Committee on Public Service Renewal on the best means to engage the deputy head community; • Implement a strategy to communicate its multi-year audit plans to interested stakeholders and to engage organizations identified for audit in early and targeted communication in order to clarify expectations and ensure ongoing communication throughout the course of the audit. To the extent possible, this strategy will make use of existing committee structures and communication venues; and • Modify the audit methodology to include the aforementioned approach as the standard practice.	Spring 2009 Spring 2009 Implementation by 2010-2011 March 2011

Committee recommendations	Activities/Milestones	Target date
3. To improve communication between the PSC and public service bargaining agents, the PSC needs to regularize its meetings with leaders of bargaining agents.	To improve communication between the PSC and public service bargaining agents, the PSC will: • Meet with union leaders on a biannual basis; • Bring forth issues for discussion at meetings of the National Joint Council; and • Use the Public Service Commission Advisory Council for consultation.	Ongoing
4. To address changes in leadership and renewal of the public service, the PSC needs to continue to communicate its oversight framework and ensure ongoing orientation and training for deputy heads, line managers and HR specialists. Bargaining agents should be invited to participate in orientation and training sessions, where appropriate.	To address changes in leadership and the renewal of the public service, the PSC will design and deliver information sessions to key organizational representatives, line managers, employment equity (EE) groups and bargaining agents on PSC roles and responsibilities, thematic issues and audit/oversight activity. Possible venues include:	2009-2010
	• National Managers' Forum, where focus of the forum permits; and	2009 forum cancelled
	• Canada School of Public Service "Armchair Discussions" ("Staffing – a Delegated System")	2009-2010

Collaboration with Office of the Comptroller General and Office of the Auditor General

Committee recommendations	Activities/Milestones	Target date
5. To minimize overlap and duplication of oversight activities within organizations related to PSC staffing audits and internal audits, the PSC and the Office of the Comptroller General (OCG) need to develop a memorandum of understanding to address how they can better streamline their activities in the areas of: • Planned staffing audits while still respecting their individual responsibilities; • Capacity building of audit committees — training and education on the requirements of the PSEA and PSC oversight responsibilities; and • Capacity building of the internal audit community — development of a methodology for the conduct of staffing audits and training and education on the application of the methodology.	To minimize overlap and duplication of oversight activities between PSC staffing audits and internal audits, the PSC will: • Seek opportunities to co-ordinate efforts with the OCG and formalize an understanding; and • Develop a strategy to provide opportunities to the internal audit community to participate in PSC audit training programs and access PSC audit training material.	Starting March 2009 September 2009
6. To minimize overlap and duplication of oversight activities within organizations related to PSC staffing and Office of the Auditor General (OAG) human resources (HR) audits, the PSC should work with the OAG to foster a collaborative working relationship and a formal means of exchanging plans.	To minimize overlap and duplication of oversight activities related to PSC staffing audits and OAG HR audits, the PSC will: • Share its audit plan with the OAG; • Meet with OAG on a biannual basis at the deputy head level; and • Follow up on the deputy head meetings, as required, to ensure co-ordination of efforts and collaboration, where appropriate.	Starting March 2009

Policy and Staffing Management Accountability Framework Review

Committee recommendations	Activities/Milestones	Target date
7. To clarify its expectations of departments and agencies, the PSC needs to: • Complete its planned policy review of appointment and appointment-related authorities; • Continue to refine its SMAF; and • Ensure appropriate stakeholder consultation and communication while making these changes to its policies and SMAF.	To clarify its expectations of organizations, the PSC will conduct its planned policy review, including consultation with key stakeholders (departments, central agencies, bargaining agents and EE groups), to: • Make immediate amendments that correct current policies, and recommend potential amendments subsequent to further review/stakeholder consultation; and • Identify policy-related challenges and recommend statutory/policy solutions.	2009-2010
	With regard to the SMAF, the PSC will: • Make short-term adjustments to the SMAF indicators based on the 2008-2009 assessment;	Fall 2009
	• Review the conceptual framework implicitly embodied in the SMAF leading indicators to determine what the PSC should be monitoring in the future, based on the results of the policy review;	2010-2011
	• Refine the SMAF indicators and measures (with the help of experts and in consultation with key stakeholders) to provide organizations with the PSC's specific expectations;	
	• Develop strategies for dealing with small organizations to better reflect their reality; and	Summer 2010
	• Release the updated SMAF with the 2010 call letter.	Fall 2010

8. To clarify its expectations of organizations for the use of non-advertised appointment processes, the PSC needs to clarify and communicate its policy expectations regarding the choice of appointment process, with appropriate stakeholder consultation.	The PSC will also use its policy review to clarify expectations for the use of non-advertised appointment processes, including: • Developing a policy/directive; and • Identifying examples of appropriate criteria for the use of non-advertised appointment processes.	December 2009
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Monitoring and the Departmental Staffing Accountability Report Process

Committee recommendations	Activities/Milestones	Target date
9. To improve the ongoing effectiveness of its monitoring process, the PSC needs to: • Ensure appropriate stakeholder consultation and communication of the Departmental Staffing Accountability Report (DSAR) assessment process; and • Refine the DSAR assessment process.	The PSC will thoroughly review the DSAR questionnaire and associated assessment process to adapt the revised SMAF indicators and measures (see Recommendation 7) to further tighten rigour and improve transparency. To improve the ongoing effectiveness of its monitoring process, the PSC will conduct annual DSAR consultations with stakeholders.	Fall 2010 Prior to the release of the call letter in summer 2010
10. To improve the overall effectiveness of its data monitoring activities, the PSC needs to: • Implement a formal data strategy and upgrade its information technology (IT) infrastructure; and • Continue working with departments and central agencies to contribute to a streamlined government-wide approach to data collection and IT system support.	To improve the overall effectiveness of its data monitoring activities, the PSC will: • Review its data requirements from an oversight perspective in order to evaluate the degree to which these requirements are being met, and make recommendations on any gaps identified (see Recommendation 7); • Implement an oversight IT strategy (work is currently under way to look at how best to implement the strategy over a number of years); and • Continue its membership on the committee, led by the Privy Council Office and the Treasury Board of Canada Secretariat, aimed at developing public service-wide key indicators for assessing HR management (People Management Indicators).	Fall 2010 Plan in place by May 2009 Completed in 2010-2011

Committee recommendations	Activities/Milestones	Target date
11. To contribute to the overall effectiveness of its monitoring of the choice of appointment process, the PSC needs to review its approach to collecting non-advertised data to determine whether changes can be made to improve its completeness and accuracy.	To determine whether changes can be made to improve the completeness and accuracy of its appointment process information (see also Recommendation 8), the PSC will: • Compare the measures contained in the appointment process information submitted by organizations with benchmarks coming from independent sources; and • Examine the feasibility of implementing a sample-based quality control check on the data coming from organizations.	September 2009
12. To ensure the long-term sustainability of its monitoring activities, the PSC needs to continue with its plans to: • Increase its level of resources for its monitoring activities; and • Invest in succession planning and capacity building in this area.	To ensure the long-term sustainability of its monitoring activities, the PSC will: • Review the appropriateness of its organizational structures that support monitoring; • Ensure that the level and type of resources are appropriate to the task; and • Ensure that employees receive the training and development that they require to do the work expected of them.	December 2010

Audit

Committee recommendations	Activities/Milestones	Target date
13. To ensure an efficient audit process and the long-term sustainability of its audit operations, the PSC needs to continue with its plans to: • Invest in the team building and leadership of its auditors; and • Establish and implement a learning strategy to ensure the adherence to methodology and the efficiency of audits (e.g. training and coaching).	To ensure an efficient audit process and the long-term sustainability of its audit operations, the PSC will: • Develop and implement a learning and development strategy for professional staff; • Invest in leadership development for auditors; • Engage audit staff in discussions about learning and development; • Develop guidance tools — Learning and Development pathway (career path from entry-level to manager) curriculum; • Deliver training activities using in-house expertise and external providers; and • Identify targets such as percentage of time for learning, and monitor strategy implementation, e.g. implementation of learning plans.	Work has already been initiated, with a target completion date of March 2010
14. To ensure the efficiency of its audit process, the PSC needs to: • Tailor its audit methodology to better reflect the specific context of staffing audits with clear linkages to the SMAF and PSC appointment framework, and to better focus audit efforts on matters of risk and significance; and • Provide appropriate supporting audit tools and technology (e.g. sampling tools and electronic working papers).	To ensure the efficiency of its audit process, the PSC will: • Review the processes for audit planning, examination and reporting and make adjustments to the methodology and supporting documentation, where appropriate; • Evaluate the audit tools and technology available and make adjustments, as required; and • Address training needs.	Work has already been initiated, with a target completion date of March 2010

Committee recommendations	Activities/Milestones	Target date
15. To ensure the ongoing reasonableness of its planned level of effort for audits, the PSC needs to: • Continue to update and revise its resourcing planning model, taking into account recent experience and best practices in the profession; • Implement its recently revised target budget hours; and • Implement more rigorous project management techniques to ensure early detection of potential cost overruns and timely corrective action.	To ensure the ongoing reasonableness of its planned level of effort for audits, the PSC will undertake a review of audit planning and processes, with emphasis on resource allocation and project management. Work will include: • Completing an assessment of current skills, expertise and capacity in audit; • Completing an assessment of actual hours (by audit phase) for audits to date; • Developing a strategy to implement recently revised target budget hours; • Developing a resource model to better align skills and resources with audit phases across the Audit, Evaluation and Studies Branch; • Establishing a model audit execution process with clear "gates," or steps, and approvals; and • Establishing a monitoring system for project and process management.	Assessment under way; Strategy – January 2010 Resourcing model – March 2010 Monitoring system – March 2011
16. To ensure the ongoing reasonableness of its planned level of effort for audits, the PSC needs to: • Formally obtain feedback from organizations through a structured survey process; and • Undergo a periodic external quality assurance review every one to two years.	To ensure the ongoing reasonableness of its planned level of effort for audits, the PSC will: • Develop and implement a structured survey process to obtain feedback from audited departments and agencies; and • Put in place and undergo quality assurance reviews every two years.	March 2011 March 2011

Performance Monitoring and Reporting

Committee recommendations	Activities/Milestones	Target date
17. To ensure that its level of effort directed to oversight remains appropriate, the PSC's annual reviews of strategic plans and performance need to continue to include a robust examination of the results of its monitoring and audit activities.	As part of its strategic planning and performance review process, the PSC will continue to review the results of its monitoring and audit activities to ensure the maintenance of a healthy balance between the two.	Ongoing
	The PSC will review its performance indicators in the Program Activity Architecture.	2009-2010
	The PSC will establish a performance measurement strategy to measure progress under the Oversight Action Plan.	2009-2010
	The PSC will make changes, as required, to related reports (e.g. Report on Plans and Priorities, Departmental Performance Report).	2009-2010
18. To ensure the accountability and transparency of its oversight performance results, the PSC needs to continue to report to Parliament on its planned and actual number of audits completed in a year as well as its progress on capacity building.	The PSC will continue to report to Parliament on the planned and actual number of audits completed each year and on the progress it is making on capacity building and results achieved.	Ongoing

Appendix 2

Audit, Evaluation and Studies Plan / 2010 and 2011

The Public Service Commission (PSC), on behalf of Parliament, oversees the integrity of the staffing system and the political impartiality of the public service. In order to fulfill the accountability to Parliament regarding this mandate, the PSC conducts independent audits, evaluations and studies to examine the staffing activities of departments and agencies and to analyze government-wide issues.

This Audit, Evaluation and Studies Plan is designed to support the PSC's goal to audit departments and agencies on a cyclical basis of about five to seven years. It also takes into consideration the results of the Oversight Review conducted by an independent review committee in 2008.

More specifically, this plan identifies the engagements planned for 2010 and 2011. This plan is subject to modification as the PSC updates its risk assessments and monitoring activities. The differences between an audit, an evaluation and a study can be found in Appendix 1.

Summary of audits, evaluations and studies under way or planned
for release in 2010 and 2011

Under way or planned 2010	
Title	Description
Canadian Space Agency	Entity follow-up audit
Indian and Northern Affairs Canada	Entity audit
Canadian Grain Commission	Entity audit
National Parole Board	Entity audit
Atlantic Canada Opportunities Agency	Entity audit
Library and Archives of Canada	Entity audit
Fisheries and Oceans Canada	Entity audit
Collective Staffing in the Public Service – Lessons Learned	Government-wide audit
Verification of Educational Credentials	Government-wide study
Study on Casual Employment	Government-wide study
Subsequent Hiring of Temporary Help Service Employees under the <i>Public Service Employment Act</i>	Government-wide study
Career Paths of Designated Group Members and Official Language Communities in the Federal Public Service	Statistical study
Updates on previously published statistical studies	Statistical study updates

Planned 2011	
Title	Description
Royal Canadian Mounted Police	Entity follow-up audit
Public Works and Government Services Canada	Entity audit
Natural Resources Canada	Entity audit
Industry Canada	Entity audit
Transport Canada	Entity audit
Transportation Appeal Tribunal of Canada	Entity audit
Foreign Affairs and International Trade Canada	Entity audit
Environment Canada	Entity audit
Cluster: Separate agencies with appointments made in accordance with the <i>Public Service Employment Act</i> • Financial Consumer Agency of Canada • National Energy Board • Office of the Superintendent of Financial Institutions • Public Service Labour Relations Board	Entity audit
Executive Appointments	Government-wide follow-up audit
Health and Capacity of the Staffing Community	Government-wide study
Recruitment Strategies – Innovation and Best Practices	Government-wide study
Updates on previously published statistical studies	Statistical study updates

Appendix 3

Staffing Management Accountability Framework

Key change areas	Intended effects: progress with key success factors				Intended effects: Progress in improved short-term outcomes	
	Delegation of staffing to deputy heads	HR Planning and integration with business planning	Organizational HR support systems	Managerial accountability for results	Results: flexibility and efficiency	Results: effectiveness and adherence to staffing values
Detailed ongoing lead performance indicators of long-run success	• Departments/agencies: sub-delegation instrument developed and operational • Mechanisms in place to ensure that sub-delegated managers comply with their sub-delegated authorities • Absence of temporary suspensions of delegated authority to departments and agencies by Public Service Commission (PSC)	• Staffing strategies strategically linked to business plans and human resources (HR) plan • Staffing strategies meet key requirements • Reduction in percentage of indeterminate hires coming from casual/term positions • Improved trend • in full-time equivalent utilization versus budgeted	• Manager satisfaction with quality of overall staffing services • Manager satisfaction with timeliness and quality of staffing information systems • Reduced PE turnover; improved trend in number of PEs versus (a) department/agency employment levels (b) level of staffing activities • Increased percent of HR advisors with continuous training on staffing	• Variance between plans/targets of HR staffing activities vs. actuals: Are these assessed? Are they sufficiently explained? Are they clearly reported? • In-house assessment of any problems (as per above), plus corrective action • Staffing performance deficiencies identified in feedback from PSC are corrected in a timely fashion	• Improved manager satisfaction with flexibility in making appointments • Reduced length of time for hiring process • Progress with appointee satisfaction regarding duration of appointment process	• Merit • Non-partisanship • Representativeness • Access • Fairness • Transparency

Staffing Management Accountability Framework (cont'd): Effectiveness and adherence to staffing values

VALUES	INDICATORS
Merit	• Managers' satisfaction with quality of hires • Percentage of non-imperative appointments where the person does not meet the official language profile within the time periods prescribed by the Regulations • Candidates' perception of whether actual job requirements match advertised requirements • Candidates' perception of whether posted qualifications and criteria for positions are bias-free and barrier-free • Trends in founded Public Service Staffing Tribunal complaints and PSC investigations into staffing • Trends in in-house investigations and founded complaints
Non-partisanship	• Managers' perception of external pressure to select a particular candidate • Number of founded complaints related to political influence in staffing
Representativeness	• Staffing strategies – employment equity (EE) [distribution of hires versus workforce availability] • Number and percentage of internal and external staffing advertisements with EE provisions – to enhance access of EE group members to public service positions
Access	• Ratio of non-advertised external processes to total • Ratio of external processes advertised nationally to total • Ratio of non-advertised internal processes to total • Trends of managers' selection of staffing process
Fairness	• Candidates' perception of the fairness of the assessment process • Percentage of acting appointments that become indeterminate in the same or similar position in the same organization
Transparency	• HR plans and staffing strategies are communicated on departments' Web sites and contents are clearly communicated to employees and managers • Organizations demonstrate consultation and communication of staffing-related information to unions • Length of time that job openings are posted • Candidates' perceptions of openness and transparency in internal staffing

Appendix 4

Specific restrictions and conditions applied to organizations following results of Public Service Commission oversight activities

	Canadian Space Agency	Office of the Correctional Investigator	Royal Canadian Mounted Police
Term and conditions	December 31, 2005, to present	November 5, 2007, to present	April 1, 2008, to present
The following are conditions for appointments, advertised or non-advertised, from inside or outside the public service:			
Special advisor (assigned from the Public Service Commission (PSC)) to work with the organization to provide advice and support to the Commissioner regarding the implementation of the recommendations of the PSC audit report.			X
The PSC retains all authorities for EX resourcing processes; the PSC carries out all transactions.	X		
Appointment and appointment-related authorities cannot be sub-delegated to employees whose level is lower than that indicated, with the exception of the authority to administer oaths and solemn affirmations, which can be sub delegated to any level.	X Executive Group employees only		
Effective July 1, 2008, on a transactional basis, a sub-delegated human resources (HR) person can authorize an appointment only when they are at a level equal or superior to that of the hiring manager.			X
Effective February 2, 2009, on a transactional basis, any sub-delegated HR person can authorize an acting appointment of less than four months (except EX Group) for encumbered positions only.			X
The organization must report, in the prescribed manner, on the accountability indicators defined in the Staffing Management Accountability Framework, on any reporting requirements identified in the appointment policies and on the internal audits and studies that the organization performs or intends to perform.		Quarterly	
The organization will submit quarterly progress reports to the PSC on the implementation of PSC audit report recommendations and on its staffing activities.			Quarterly

Appendix 5

Specific sub-delegation arrangements – summary

Organizations	To whom	Time frame
National Defence	Members of the Canadian Forces who are hiring managers within the deputy head's jurisdiction	Indefinitely as of June 23, 2008
	Interim Ombudsman Department of National Defence and Canadian Forces	September 18, 2008
Public Works and Government Services Canada	Procurement Ombudsman	May 5, 2008, for the duration of the Ombudsman's five-year term until May 4, 2013, and for the duration of any subsequent re-appointments to this position

Appendix 6

Profile of new indeterminate employees

Table 29 – Prior public service experience of new indeterminate hires:
original study findings and recent results for selected variables

	Original study 1998-1999 to 2005-2006	Update 2000-2001 to 2008-2009
Overall		
No prior public service experience	17%	23%
Prior term, never casual	46%	36%
Prior casual, never term	6%	10%
Prior term and casual	23%	23%
Other prior tenure	8%	8%
Prior experience as a casual or term		
Employment Category		
Administrative and Foreign Service	71%	64%
Scientific and Professional	66%	61%
Technical	67%	63%
Administrative Support	89%	83%
Operational	75%	66%
Selected organizations		
Human Resources Development Canada	90%	84%
Veterans Affairs Canada	85%	81%
Justice Canada	82%	79%
Canadian Heritage	80%	78%
Citizenship and Immigration Canada	80%	80%
Health Canada	79%	73%
Fisheries and Oceans Canada	78%	77%
Natural Resources Canada	78%	75%
Environment Canada	76%	74%
Transport Canada	59%	58%
Statistics Canada	61%	66%
Correctional Service Canada	66%	53%
Public Works and Government Services Canada	66%	62%
Industry Canada	67%	61%

Table 29 – Prior public service experience of new indeterminate hires:
original study findings and recent results for selected variables (cont'd)

	Original study 1998-1999 to 2005-2006	Update 2000-2001 to 2008-2009
Canada Border Services Agency	70%	44%
Foreign Affairs and International Trade Canada	72%	71%
Royal Canadian Mounted Police (public service employees)	73%	67%
National Defence (public service employees)	74%	64%
Indian and Northern Affairs Canada	74%	71%
Region		
National Capital Region	74%	69%
Outside the National Capital Region	76%	69%
Other		
Median age	34	34
Proportion with break in service prior to appointment	10%	14%
Proportion changing organization upon appointment	12%	15%
Proportion changing classification upon appointment	29%	31%

Source: Job-based Analytical Information System (JAIS)

Table 30 – Subsequent employment of casual hires: original study findings and recent results for selected variables

	Initial study 1995-1996 to 2004-2005	Update 2000-2001 to 2007-2008
Overall		
No subsequent appointment	59%	52%
Casual to term	17%	15%
Casual to indeterminate	6%	11%
Casual to term to indeterminate	18%	22%
Rate of appointment under the PSEA		
Employment Category		
Administrative and Foreign Service	56%	57%
Scientific and Professional	54%	58%
Technical	40%	44%
Administrative Support	37%	44%
Operational	30%	40%
Selected organizations		
Canada Border Services Agency	n/a	65%
Foreign Affairs and International Trade Canada	59%	58%
Industry Canada	56%	56%
Statistics Canada	52%	55%
Indian and Northern Affairs Canada	51%	55%
Canadian Heritage	50%	50%
Citizenship and Immigration Canada	46%	52%
Health Canada	44%	50%
Correctional Service Canada	43%	45%
Human Resources Development Canada	43%	50%
Veterans Affairs Canada	42%	39%
Region		
National Capital Region	51%	57%
Outside the National Capital Region	35%	42%
First official language		
English	40%	46%
French	46%	54%

Table 30 – Subsequent employment of casual hires: original study findings and recent results for selected variables (cont'd)

	Initial study 1995-1996 to 2004-2005	Update 2000-2001 to 2007-2008
Elapsed time		
Time between initial casual hire and appointment under the PSEA		
Average calendar days — all transition types	275	292
Term to indeterminate transitions only		
Elapsed time to indeterminate appointment	696	700
Break in service prior to appointment (days)		
Casual to term / casual to indeterminate		
mean	48	49
median	0	0
Term to indeterminate transitions only		
mean	2	3
median	0	0
Other		
Change of classification		
all transition types	25%	26%
Change of organization		
all transition types	8%	9%

Source: Job-based Analytical Information System (JAIS)

Appendix 7

Statistical tables

The Annual Report includes a number of figures and tables, the data for which have been derived from a variety of sources. More complete data are available electronically at www.psc-cfp.gc.ca.

Data source

The information on hiring and staffing activities is derived from data received from the incumbent file of the Office of the Chief Human Resources Officer. This file is extracted from the Public Works and Government Services Canada pay system. The Appointment Information and Analysis Directorate of the Public Service Commission (PSC) has developed a series of algorithms that are used against these files to produce the PSC's official record of hiring and staffing activities across the federal public service, based on pay transactions submitted by departments and agencies.

Hiring activities – Hiring activities refer to appointments to the public service, the hiring of casuals as per subsection 50(1) of the *Public Service Employment Act* (PSEA) and the recruitment of students under the *Student Employment Programs Exclusion Approval Order* and Regulations.

Staffing activities – Staffing activities refer to appointments to the public service and staffing activity within the public service. An appointment to the public service includes the appointment of a person from the general public or the appointment of an employee of a government department or agency that is not subject to the PSEA. Staffing activity within the public service includes all appointments and/or deployments of employees within or between departments or agencies that are subject to the PSEA.

Population – The population graphics reflect the population of organizations that fall under the jurisdiction of the PSC. The PSEA universe is defined in Schedules I, IV and V of the *Financial Administration Act*.

The organizations in Schedules I and IV are the departments/agencies and portions of the core public administration and are, with some exceptions, subject to the exclusive jurisdiction of the PSC for their appointments. With the exception of those specifically identified (the Canadian Dairy Commission and the Public Service Staffing Tribunal), these organizations also form part of the PSC's universe.

The organizations found in Schedule V are separate agencies. Certain of these are subject to the exclusive jurisdiction of the PSC for their appointments and thus also form part of the PSC's universe.

Priority administration – Information on the number of priority entitlements registered with the PSC, the number of priority person placements and the number of removals for other reasons, by priority type, are taken from the PSC's Priority Information Management System (PIMS). PIMS is the PSC's Web-based tool with which organizations register their persons who have priority entitlement, and that organizations must search when conducting an appointment process.

Applicant data – Information on selected characteristics (e.g. geographical area and educational profile) for applicants to externally advertised processes, via the Post-secondary Recruitment programs, the Federal Student Work Experience Program and general external recruitment advertisements of departments and agencies. This information is captured through the Public Service Resourcing System each time an application is submitted. An applicant may be represented more than once in a table if they have submitted an application for more than one employment category.

Table 31 – Overall hiring and staffing activities *to* and *within* the public service by type and tenure

April 1, 2008 to March 31, 2009

Tenure	Hiring activity to the public service		Staffing activities within the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
	No.	%	No.	%	No.	%	No.	%	No.	%
Indeterminate staffing activities	12 705	16.2	24 542	31.2	25 631	32.6	15 683	20.0	78 561	100.0
Specified term staffing activities	11 039	72.9	1 109	7.3	2 091	13.8	905	6.0	15 144	100.0
Sub-total	23 744	25.3	25 651	27.4	27 722	29.6	16 588	17.7	93 705	100.0
Casual (as per PSEA ss. 50(1))	18 699	100.0	0	0.0	0	0.0	0	0.0	18 699	100.0
Student (under Employment Exclusion Approval Order)	14 247	100.0	0	0.0	0	0.0	0	0.0	14 247	100.0
TOTAL	56 690	44.8	25 651	20.3	27 722	21.9	16 588	13.1	126 651	100.0

(a) Lateral and downward movements include deployments. As appointment process is not captured by the pay system, it is not possible to differentiate between lateral and downward appointments and deployments.

(b) Excludes acting appointments of less than four months.

Table 32 – Overall hiring and staffing activities *to* and *within* the public service by tenure and previous employment status

April 1, 2008 to March 31, 2009

Previous employment status	Tenure after hiring and staffing activities								Total	
	Indeterminate		Specified term		Casual*		Student*			
	No.	%	No.	%	No.	%	No.	%	No.	%
Indeterminate	58 474	74.4	163	1.1	0	0.0	0	0.0	58 637	46.3
Specified term	7 382	9.4	3 942	26.0	0	0.0	0	0.0	11 324	8.9
Casual	1 714	2.2	2 252	14.9	0	0.0	0	0.0	3 966	3.1
Other federal agencies	918	1.2	191	1.3	0	0.0	0	0.0	1 109	0.9
General public	9 850	12.5	8 415	55.6	18 699	100.0	14 247	100.0	51 211	40.4
Student	223	0.3	181	1.2	0	0.0	0	0.0	404	0.3
TOTAL	78 561	100.0	15 144	100.0	18 699	100.0	14 247	100.0	126 651	100.0

*Casuals and students do not have a previous employment status as these persons are reported under "General public."

Table 33 – Staffing activities by type and occupational category

April 1, 2008 to March 31, 2009

Occupational category	Staffing activities within the public service									
	Appointments to the public service		Promotions		Lateral and downward movement (a)		Acting appointments (b)		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Executive Group	116	0.5	1 137	4.4	575	2.1	662	4.0	2 490	2.7
Scientific and Professional	3 431	14.4	4 218	16.4	3 777	13.6	1 750	10.5	13 176	14.1
Administrative and Foreign Service	8 439	35.5	14 525	56.6	14 077	50.8	11 206	67.6	48 247	51.5
Technical	1 704	7.2	1 865	7.3	1 240	4.5	976	5.9	5 785	6.2
Administrative Support	6 652	28.0	2 463	9.6	5 873	21.2	959	5.8	15 947	17.0
Operational	3 231	13.6	1 288	5.0	2 083	7.5	979	5.9	7 581	8.1
Not applicable (c)	171	0.7	155	0.6	97	0.3	56	0.3	479	0.5
TOTAL (d)	23 744	100.0	25 651	100.0	27 722	100.0	16 588	100.0	93 705	100.0

(a) Lateral and downward movements include deployments. As appointment process is not captured by the pay system, it is not possible to differentiate between lateral and downward appointments and deployments.

(b) Excludes acting appointments of less than four months.

(c) Refers to staffing activities for which the standard occupational classifications do not apply (i.e. separate employers under the *Public Service Employment Act* use their own occupational groups).

(d) Unknown values are not displayed in this table, but their values are included in the totals. The percentage of total (d) is calculated on the sum of all components, known and unknown.

Table 34 – Staffing activities by type and geographic area

April 1, 2008 to March 31, 2009

Geographic area	Appointments to the public service		Staffing activities within the public service						Total	
			Promotions		Lateral and downward movement (a)		Acting appointments (b)			
	No.	%	No.	%	No.	%	No.	%	No.	%
British Columbia	1 865	7.9	1 800	7.0	2 414	8.7	1 233	7.4	7 312	7.8
Alberta	1 632	6.9	1 158	4.5	1 304	4.7	617	3.7	4 711	5.0
Saskatchewan	790	3.3	548	2.1	559	2.0	291	1.8	2 188	2.3
Manitoba	812	3.4	733	2.9	841	3.0	500	3.0	2 886	3.1
Ontario (except NCR)	3 057	12.9	2 200	8.6	2 730	9.8	1 593	9.6	9 580	10.2
National Capital Region (NCR)	10 411	43.8	14 907	58.1	14 499	52.3	8 819	53.2	48 636	51.9
Quebec (except NCR)	2 648	11.2	1 818	7.1	2 793	10.1	1 550	9.3	8 809	9.4
New Brunswick	794	3.3	662	2.6	742	2.7	574	3.5	2 772	3.0
Nova Scotia	1 058	4.5	1 005	3.9	933	3.4	675	4.1	3 671	3.9
Prince Edward Island	158	0.7	195	0.8	220	0.8	200	1.2	773	0.8
Newfoundland and Labrador	340	1.4	297	1.2	388	1.4	277	1.7	1 302	1.4
Yukon	38	0.2	40	0.2	42	0.2	17	0.1	137	0.1
Northwest Territories	78	0.3	75	0.3	78	0.3	35	0.2	266	0.3
Nunavut	31	0.1	11	0.0	29	0.1	6	0.0	77	0.1
Outside Canada	32	0.1	202	0.8	150	0.5	201	1.2	585	0.6
TOTAL	23 744	100.0	25 651	100.0	27 722	100.0	16 588	100.0	93 705	100.0

(a) Lateral and downward movements include deployments. As appointment process is not captured by the pay system, it is not possible to differentiate between lateral and downward appointments and deployments.

(b) Excludes acting appointments of less than four months.

Table 35 – Appointments to the public service to indeterminate and specified term positions greater than three months, by employment equity group and geographic area

April 1, 2008 to March 31, 2009

Geographic area	Appointments to the public service by employment equity group										
	Women (a)		Total (a)	Members of visible minorities (b)		Persons with disabilities (b)		Aboriginal peoples (b)		Total (b)	
	No.	%	No.	No.	%	No.	%	No.	%	No.	%
British Columbia	927	55.7	1 665	324	27.5	35	3.0	50	4.2	1 180	100.0
Alberta	919	61.0	1 506	166	16.6	38	3.8	68	6.8	997	100.0
Saskatchewan	403	64.6	624	29	7.0	14	3.4	66	16.0	412	100.0
Manitoba	445	60.1	740	52	11.0	23	4.9	51	10.8	473	100.0
Ontario (except NCR)	1 433	51.7	2 773	426	22.4	50	2.6	76	4.0	1 899	100.0
National Capital Region (NCR)	5 918	58.1	10 178	1 485	20.7	249	3.5	239	3.3	7 160	100.0
Quebec (except NCR)	1 279	57.7	2 216	251	16.7	30	2.0	16	1.1	1 504	100.0
New Brunswick	410	58.2	705	23	4.8	15	3.1	12	2.5	482	100.0
Nova Scotia	456	49.4	924	66	10.7	37	6.0	31	5.0	618	100.0
Prince Edward Island	84	54.9	153	5	5.4	*	*	*	*	93	100.0
Newfoundland and Labrador	122	54.7	223	3	2.0	4	2.7	15	10.0	150	100.0
Yukon	22	61.1	36	0	0.0	0	0.0	*	*	23	100.0
Northwest Territories	43	56.6	76	9	16.7	*	*	6	11.1	54	100.0
Nunavut	19	65.5	29	0	0.0	0	0.0	5	27.8	18	100.0
Outside Canada	3	10.3	29	0	0.0	0	0.0	0	0.0	4	100.0
TOTAL	12 483	57.1	21 877	2 839	18.8	498	3.3	639	4.2	15 067	100.0

(a) The figures for women appointed to the public service are extracted from the PSC hiring and staffing activities files. These exclude specified term appointments of less than three months and appointments to separate employers. These PSC files are based on the Public Works and Government Services pay file.

(b) The figures for three employment equity (EE) groups are based on applicants who applied and self-declared through the PSC's Public Service Resourcing System in the last two fiscal years and where a match was found in the PSC's appointment file as of March 31, 2009. The figures do not include specified terms under three months and separate employers. The sum of EE groups does not equal the total as a person may self-declare in more than one EE group and men are included in the total. Consequently, the totals do not match other tables.

The suppression of certain data cells has been applied in order to respect the confidentiality requirements of personal information. They have been replaced by the missing value indicator '* '.

Table 36 – Staffing activities by type and first official language group

April 1, 2008 to March 31, 2009

First official language group	Appointments to the public service		Staffing activities within the public service						Total	
			Promotions		Lateral and downward movement (a)		Acting appointments (b)			
	No.	%	No.	%	No.	%	No.	%	No.	%
Anglophones	16 560	70.1	17 116	66.9	17 848	64.6	10 613	64.2	62 137	66.5
Francophones	7 070	29.9	8 457	33.1	9 790	35.4	5 929	35.8	31 246	33.5
TOTAL (c)	23 744	100.0	25 651	100.0	27 722	100.0	16 588	100.0	93 705	100.0

(a) Lateral and downward movements include deployments. As appointment process is not captured by the pay system, it is not possible to differentiate between lateral and downward appointments and deployments.

(b) Excludes acting appointments of less than four months.

(c) Unknown values are not displayed in this table, but their values are included in the totals. The percentages for first official language components total (c) are calculated using the known first official language values as the respective denominators.

Table 37 – Staffing activities by type, first official language group and language requirements of position

April 1, 2008 to March 31, 2009

Language requirements of position	Appointments to the public service					Staffing activities within the public service (a)					Total (b)				
	Anglophones		Francophones		Total	Anglophones		Francophones		Total	Anglophones		Francophones		Total
	No.	%	No.	%	No.	No.	%	No.	%	No.	No.	%	No.	%	No.
Bilingual imperative	2 248	35.2	4 130	64.8	6 393	12 161	38.7	19 290	61.3	31 490	14 409	38.1	23 420	61.9	37 883
Bilingual non-imperative															
• Met (c)	164	72.9	61	27.1	225	1 526	64.1	854	35.9	2 389	1 690	64.9	915	35.1	2 614
• Must meet (d)	57	86.4	9	13.6	66	414	96.3	16	3.7	430	471	95.0	25	5.0	496
• Not required to meet (e)	1	100.0	0	0.0	1	30	65.2	16	34.8	46	31	66.0	16	34.0	47
English essential	12 599	95.7	572	4.3	13 227	29 248	96.5	1 063	3.5	30 424	41 847	96.2	1 635	3.8	43 651
French essential	37	2.5	1 463	97.5	1 503	53	2.5	2 103	97.5	2 157	90	2.5	3 566	97.5	3 660
English or French essential	1 455	63.4	833	36.6	2 279	2 132	72.2	820	27.8	2 953	3 577	68.4	1 653	31.6	5 232
TOTAL (f)	16 560	70.1	7 070	29.9	23 744	45 577	65.3	24 176	34.7	69 961	62 137	66.5	31 246	33.5	93 705

(a) Lateral and downward movements include deployments. As appointment process is not captured by the pay system, it is not possible to differentiate between lateral and downward appointments and deployments. Excludes acting appointments of less than four months.

(b) Unknown values are not displayed in this table, but their values are included in the totals. The percentages for language components total (b) are calculated using the known first official language values as the respective denominators.

(c) The person appointed met the language requirements of the position at the time of appointment.

(d) The person appointed must attain, through language training, the language requirements of the position within two years of the date of the appointment, unless this period is extended for one or more additional periods – of not more than two years in total – in the circumstances prescribed in the *Public Service Official Languages Appointment Regulations*.

(e) The person appointed is exempted from meeting the language requirements of the position for the duration of the appointment on medical grounds or as a result of their eligibility for an immediate annuity, as specified in the *Public Service Official Languages Exclusion Approval Order*.

(f) Unknown values are not displayed in this table, but their values are included in the totals. The percentages of total (f) are calculated on the sum of all components, known and unknown.

Table 38 – Student hiring activities and appointments to the public service by recruitment program and geographic area

April 1, 2008 to March 31, 2009

Geographic area	Student hiring activities (a)						Appointments to the public service						Total (c)	
	*FSWEP		*RAP		*CO-OP		*PSR (b)		*RPL		General recruitment			
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
British Columbia	504	5.1	4	4.0	421	10.0	37	2.2	0	0.0	1 828	8.3	2 794	7.4
Alberta	566	5.7	5	5.1	140	3.3	23	1.4	0	0.0	1 609	7.3	2 343	6.2
Saskatchewan	299	3.0	9	9.1	45	1.1	10	0.6	0	0.0	780	3.5	1 143	3.0
Manitoba	373	3.8	7	7.1	121	2.9	12	0.7	0	0.0	800	3.6	1 313	3.5
Ontario (except NCR)	1 550	15.6	14	14.1	344	8.2	204	12.0	0	0.0	2 853	13.0	4 965	13.1
National Capital Region (NCR)	3 901	39.3	34	34.3	2 476	58.7	1 223	72.1	26	100.0	9 162	41.6	16 822	44.3
Quebec (except NCR)	1 548	15.6	24	24.2	359	8.5	115	6.8	0	0.0	2 533	11.5	4 579	12.1
New Brunswick	462	4.7	1	1.0	73	1.7	19	1.1	0	0.0	775	3.5	1 330	3.5
Nova Scotia	353	3.6	0	0.0	136	3.2	28	1.6	0	0.0	1 030	4.7	1 547	4.1
Prince Edward Island	189	1.9	0	0.0	21	0.5	16	0.9	0	0.0	142	0.6	368	1.0
Newfoundland and Labrador	120	1.2	1	1.0	70	1.7	9	0.5	0	0.0	331	1.5	531	1.4
Yukon	5	0.1	0	0.0	3	0.1	0	0.0	0	0.0	38	0.2	46	0.1
Northwest Territories	18	0.2	0	0.0	3	0.1	1	0.1	0	0.0	77	0.3	99	0.3
Nunavut	3	0.0	0	0.0	4	0.1	0	0.0	0	0.0	31	0.1	38	0.1
Outside Canada	41	0.4	0	0.0	0	0.0	0	0.0	0	0.0	32	0.1	73	0.2
TOTAL (c)	9 932	100.0	99	100.0	4 216	100.0	1 697	100.0	26	100.0	22 021	100.0	37 991	100.0

(a) The *Student Employment Programs Exclusion Approval Order and Regulations* that took effect on April 9, 1997. It excludes students from the operation of the former *Public Service Employment Act*, with the exception of subsections 16(4) and 17(4), which deal with citizenship. These hirings are no longer considered appointments to the public service under the Act. This Order is currently being revised.

(b) The figures under PSR include appointments of applicants from the current and previous years' campaigns, as not all appointments are completed within the same fiscal year. The figures also include appointments under the Accelerated Economist Training Program and Management Trainee Program. These figures include appointments of applicants from the PSC's PSR and exclude appointments of post-secondary graduates made directly by organizations.

(c) The total 37 991 plus 18 699 casuals equals the overall hiring activity to the public service of 56 690 persons as indicated in Table 31 in Appendix 7.

* **Legend** **FSWEP** Federal Student Work Experience Program
CO-OP Co-operative Education/Internship Program
RPL Recruitment of Policy Leaders Program

RAP Research Affiliate Program
PSR Post-Secondary Recruitment Program

Table 39 – Staffing activities by type and organization

April 1, 2008 to March 31, 2009

Organization	Appointments to the public service		Staffing activities within the public service						Total	
			Promotions		Lateral and downward movement (a)		Acting appointments (b)			
	No.	%	No.	%	No.	%	No.	%	No.	%
Agriculture and Agri-Food Canada	572	28.0	624	30.5	448	21.9	400	19.6	2 044	100.0
Assisted Human Reproduction Agency of Canada	3	42.9	2	28.6	1	14.3	1	14.3	7	100.0
Atlantic Canada Opportunities Agency	42	19.5	59	27.4	71	33.0	43	20.0	215	100.0
Canada Border Services Agency	1 624	28.0	1 280	22.0	1 377	23.7	1 529	26.3	5 810	100.0
Canada Industrial Relations Board	4	9.3	16	37.2	19	44.2	4	9.3	43	100.0
Canada Public Service Agency	53	12.2	180	41.6	151	34.9	49	11.3	433	100.0
Canada School of Public Service	204	35.7	163	28.5	172	30.1	33	5.8	572	100.0
Canadian Artists and Producers Professional Relations Tribunal	1	25.0	1	25.0	2	50.0	0	0.0	4	100.0
Canadian Environmental Assessment Agency	28	28.9	34	35.1	20	20.6	15	15.5	97	100.0
Canadian Forces Grievance Board	0	0.0	2	25.0	3	37.5	3	37.5	8	100.0
Canadian Grain Commission	61	30.8	71	35.9	58	29.3	8	4.0	198	100.0
Canadian Heritage	259	20.5	299	23.6	401	31.7	307	24.2	1 266	100.0
Canadian Human Rights Commission	26	32.1	23	28.4	25	30.9	7	8.6	81	100.0
Canadian Intergovernmental Conference Secretariat	1	10.0	3	30.0	2	20.0	4	40.0	10	100.0
Canadian International Development Agency	198	19.9	275	27.7	364	36.6	157	15.8	994	100.0
Canadian International Trade Tribunal	3	7.9	17	44.7	11	28.9	7	18.4	38	100.0
Canadian Radio-television and Telecommunications Commission	52	27.7	56	29.8	45	23.9	35	18.6	188	100.0

Table 39 – Staffing activities by type and organization (cont'd)

April 1, 2008 to March 31, 2009

Organization	Appointments to the public service		Staffing activities within the public service						Total	
			Promotions		Lateral and downward movement (a)		Acting appointments (b)			
	No.	%	No.	%	No.	%	No.	%	No.	%
Canadian Space Agency	36	23.7	21	13.8	65	42.8	30	19.7	152	100.0
Canadian Transportation Agency	24	20.2	34	28.6	49	41.2	12	10.1	119	100.0
Citizenship and Immigration Canada	491	23.1	594	28.0	601	28.3	437	20.6	2 123	100.0
Commission for Public Complaints Against the Royal Canadian Mounted Police	8	26.7	8	26.7	11	36.7	3	10.0	30	100.0
Copyright Board	1	50.0	1	50.0	0	0.0	0	0.0	2	100.0
Correctional Investigator Canada (The)	11	35.5	4	12.9	14	45.2	2	6.5	31	100.0
Correctional Service Canada	1 854	26.9	1 470	21.3	2 189	31.7	1 391	20.1	6 904	100.0
Courts Administration Service	95	27.6	128	37.2	89	25.9	32	9.3	344	100.0
Economic Development Agency of Canada for the Regions of Quebec	17	12.6	41	30.4	43	31.9	34	25.2	135	100.0
Environment Canada	610	20.1	966	31.8	931	30.7	527	17.4	3 034	100.0
Finance Canada (Department of)	150	21.0	300	42.0	204	28.5	61	8.5	715	100.0
Financial Consumer Agency of Canada	15	51.7	5	17.2	3	10.3	6	20.7	29	100.0
Fisheries and Oceans Canada	1 308	28.2	1 052	22.7	1 274	27.5	1 004	21.6	4 638	100.0
Foreign Affairs and International Trade Canada	1 100	23.7	1 242	26.7	1 427	30.7	878	18.9	4 647	100.0
Hazardous Materials Information Review Commission Canada	10	38.5	6	23.1	5	19.2	5	19.2	26	100.0
Health Canada	1 455	25.5	1 584	27.7	1 799	31.5	877	15.3	5 715	100.0
Human Resources and Skills Development Canada	2 570	21.0	3 022	24.7	3 883	31.7	2 755	22.5	12 230	100.0
Human Rights Tribunal of Canada	0	0.0	3	100.0	0	0.0	0	0.0	3	100.0

Table 39 – Staffing activities by type and organization (cont'd)

April 1, 2008 to March 31, 2009

Organization	Staffing activities within the public service									
	Appointments to the public service		Promotions		Lateral and downward movement (a)		Acting appointments (b)		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Immigration and Refugee Board of Canada	80	21.6	93	25.1	118	31.8	80	21.6	371	100.0
Indian and Northern Affairs Canada	617	23.5	702	26.8	797	30.4	508	19.4	2 624	100.0
Industry Canada	435	21.1	681	33.0	540	26.1	410	19.8	2 066	100.0
Infrastructure Canada	29	22.8	49	38.6	40	31.5	9	7.1	127	100.0
International Joint Commission	3	60.0	1	20.0	1	20.0	0	0.0	5	100.0
Justice Canada (Department of)	451	19.9	646	28.5	883	39.0	286	12.6	2 266	100.0
Library and Archives Canada	131	26.9	104	21.4	138	28.3	114	23.4	487	100.0
Military Police Complaints Commission of Canada	1	12.5	7	87.5	0	0.0	0	0.0	8	100.0
NAFTA Secretariat – Canadian Section	1	25.0	1	25.0	1	25.0	1	25.0	4	100.0
National Defence (Public Service Employees)	3 679	35.4	2 747	26.4	2 888	27.8	1 080	10.4	10 394	100.0
National Energy Board	66	32.7	74	36.6	36	17.8	26	12.9	202	100.0
National Farm Products Council	0	0.0	0	0.0	5	71.4	2	28.6	7	100.0
National Parole Board	42	20.2	66	31.7	60	28.8	40	19.2	208	100.0
Natural Resources Canada	465	27.8	569	34.0	431	25.7	209	12.5	1 674	100.0
Office of the Chief Electoral Officer	125	44.0	63	22.2	60	21.1	36	12.7	284	100.0
Office of the Commissioner for Federal Judicial Affairs	8	16.7	23	47.9	4	8.3	13	27.1	48	100.0
Office of the Commissioner of Official Languages	20	26.0	23	29.9	23	29.9	11	14.3	77	100.0
Office of the Governor General's Secretary	14	21.2	27	40.9	17	25.8	8	12.1	66	100.0
Office of the Registrar of Lobbyists	1	10.0	6	60.0	1	10.0	2	20.0	10	100.0

Table 39 – Staffing activities by type and organization (cont'd)

April 1, 2008 to March 31, 2009

Organization	Appointments to the public service		Staffing activities within the public service						Total	
			Promotions		Lateral and downward movement (a)		Acting appointments (b)			
	No.	%	No.	%	No.	%	No.	%	No.	%
Office of the Superintendent of Financial Institutions Canada	61	39.9	48	31.4	33	21.6	11	7.2	153	100.0
Offices of the Information and Privacy Commissioners of Canada	29	25.4	47	41.2	26	22.8	12	10.5	114	100.0
Patented Medicine Prices Review Board Canada	6	28.6	5	23.8	8	38.1	2	9.5	21	100.0
Privy Council Office	98	19.8	177	35.7	152	30.6	69	13.9	496	100.0
Public Health Agency of Canada	362	26.1	363	26.2	422	30.4	241	17.4	1 388	100.0
Public Prosecution Service of Canada	82	27.2	80	26.6	115	38.2	24	8.0	301	100.0
Public Safety Canada	139	20.3	199	29.1	258	37.7	88	12.9	684	100.0
Public Sector Integrity Canada	0	0.0	1	25.0	3	75.0	0	0.0	4	100.0
Public Servants Disclosure Protection Tribunal Canada	0	0.0	1	100.0	0	0.0	0	0.0	1	100.0
Public Service Commission of Canada	108	21.0	188	36.5	154	29.9	65	12.6	515	100.0
Public Service Labour Relations Board	8	22.9	12	34.3	9	25.7	6	17.1	35	100.0
Public Works and Government Services Canada	1 292	21.5	1 751	29.2	1 748	29.1	1 210	20.2	6 001	100.0
RCMP External Review Committee	1	25.0	1	25.0	2	50.0	0	0.0	4	100.0
Registrar of the Supreme Court of Canada	44	35.5	55	44.4	14	11.3	11	8.9	124	100.0
Registry of the Competition Tribunal	0	0.0	3	50.0	3	50.0	0	0.0	6	100.0
Royal Canadian Mounted Police (public service employees)	826	27.2	788	25.9	1 087	35.8	338	11.1	3 039	100.0
Statistics Canada	484	19.7	1 187	48.2	563	22.9	227	9.2	2 461	100.0

Table 39 – Staffing activities by type and organization (cont'd)

April 1, 2008 to March 31, 2009

Organization	Appointments to the public service		Staffing activities within the public service						Total	
			Promotions		Lateral and downward movement (a)		Acting appointments (b)			
	No.	%	No.	%	No.	%	No.	%	No.	%
Status of Women Canada	6	14.0	13	30.2	20	46.5	4	9.3	43	100.0
Transport Canada	475	24.3	551	28.2	520	26.6	409	20.9	1 955	100.0
Transportation Appeal Tribunal of Canada	0	0.0	2	40.0	2	40.0	1	20.0	5	100.0
Transportation Safety Board of Canada	21	38.9	11	20.4	17	31.5	5	9.3	54	100.0
Treasury Board of Canada Secretariat	163	19.7	309	37.4	273	33.0	82	9.9	827	100.0
Veterans Affairs Canada	426	29.0	334	22.7	449	30.6	260	17.7	1 469	100.0
Western Economic Diversification Canada	59	30.7	57	29.7	44	22.9	32	16.7	192	100.0
TOTAL	23 744	25.3	25 651	27.4	27 722	29.6	16 588	17.7	93 705	100.0

(a) Lateral and downward movements include deployments. As appointment process is not captured by the pay system, it is not possible to differentiate between lateral and downward appointments and deployments.

(b) Excludes acting appointments of less than four months.

Note: The difference between the number of organizations in this table (78) and the number of organizations with ADAs (82) is related to organizations that do not show as separate entities in the PWGSC pay system, which means that for these organizations the PSC cannot show population and/or hiring and staffing activities (Public Appointments Commission Secretariat, Registry of the Specific Claims Tribunal and Veterans Review and Appeal Board).

Table 40 – Public Service Employment Act population changes by organization
March 2008 to March 2009

Organization	Indeterminate, specified term, casual and student population			
	March 2008	March 2009	Difference	% change over last year
	No.	No.		
Agriculture and Agri-Food Canada	6 945	6 795	-150	-2.2
Assisted Human Reproduction Canada	2	5	3	150.0
Atlantic Canada Opportunities Agency	757	760	3	0.4
Canada Border Services Agency	13 739	14 660	921	6.7
Canada Industrial Relations Board	88	90	2	2.3
Canada Public Service Agency	647	571	-76	-11.7
Canada School of Public Service	838	957	119	14.2
Canadian Artists and Producers Professional Relations Tribunal	6	7	1	16.7
Canadian Environmental Assessment Agency	149	134	-15	-10.1
Canadian Forces Grievance Board	39	39	0	0.0
Canadian Grain Commission	643	651	8	1.2
Canadian Heritage	2 272	2 398	126	5.5
Canadian Human Rights Commission	185	182	-3	-1.6
Canadian Intergovernmental Conference Secretariat	22	20	-2	-9.1
Canadian International Development Agency	1 915	1 929	14	0.7
Canadian International Trade Tribunal	64	79	15	23.4
Canadian Radio-television and Telecommunications Commission	426	434	8	1.9
Canadian Space Agency	625	663	38	6.1
Canadian Transportation Agency	224	230	6	2.7
Citizenship and Immigration Canada	4 061	4 164	103	2.5
Commission for Public Complaints Against the Royal Canadian Mounted Police	51	53	2	3.9
Copyright Board Canada	11	11	0	0.0
Correctional Investigator Canada (The)	10	26	16	160.0
Correctional Service Canada	15 805	16 871	1 066	6.7
Courts Administration Service	596	617	21	3.5
Economic Development Agency of Canada for the Regions of Quebec	414	414	0	0.0
Environment Canada	6 445	6 995	550	8.5
Finance Canada (Department of)	1 091	1 099	8	0.7

**Table 40 – Public Service Employment Act population changes
by organization (cont'd)**

March 2008 to March 2009

Organization	Indeterminate, specified term, casual and student population			
	March 2008	March 2009	Difference	% change over last year
	No.	No.		
Financial Consumer Agency of Canada	44	50	6	13.6
Fisheries and Oceans Canada	10 551	10 876	325	3.1
Foreign Affairs and International Trade Canada	7 358	7 549	191	2.6
Hazardous Materials Information Review Commission Canada	27	34	7	25.9
Health Canada	9 750	10 392	642	6.6
Human Resources and Skills Development Canada	23 699	24 206	507	2.1
Human Rights Tribunal of Canada	19	18	-1	-5.3
Immigration and Refugee Board of Canada	858	891	33	3.8
Indian and Northern Affairs Canada	4 701	5 086	385	8.2
Indian Residential Schools Resolution Canada	405	488	83	20.5
Industry Canada	5 460	5 544	84	1.5
Infrastructure Canada	216	227	11	5.1
International Joint Commission	37	30	-7	-18.9
Justice Canada (Department of)*	5 158	4 635	-523	-10.1
Library and Archives Canada	1 160	1 199	39	3.4
Military Police Complaints Commission of Canada	15	15	0	0.0
NAFTA Secretariat – Canadian Section	11	12	1	9.1
National Defence (public service employees)	25 067	27 130	2 063	8.2
National Energy Board	294	340	46	15.6
National Farm Products Council	14	16	2	14.3
National Parole Board	370	362	-8	-2.2
Natural Resources Canada	4 632	4 765	133	2.9
Office of the Chief Electoral Officer	424	490	66	15.6
Office of the Commissioner for Federal Judicial Affairs	63	67	4	6.3
Office of the Commissioner of Official Languages	151	156	5	3.3

**Table 40 – Public Service Employment Act population changes
by organization (cont'd)**

March 2008 to March 2009

Organization	Indeterminate, specified term, casual and student population			
	March 2008	March 2009	Difference	% change over last year
	No.	No.		
Office of the Governor General's Secretary	159	159	0	0.0
Office of the Registrar of Lobbyists	23	25	2	8.7
Office of the Superintendent of Financial Institutions Canada	464	493	29	6.3
Offices of the Information and Privacy Commissioners of Canada	151	200	49	32.5
Patented Medicine Prices Review Board Canada	47	51	4	8.5
Privy Council Office	797	843	46	5.8
Public Health Agency of Canada	2 262	2 527	265	11.7
Public Prosecution Service of Canada	0	783	783	—
Public Safety Canada	895	1 037	142	15.9
Public Sector Integrity Canada	0	18	18	—
Public Servants Disclosure Protection Tribunal Canada	0	2	2	—
Public Service Commission of Canada	1 073	1 022	-51	-4.8
Public Service Labour Relations Board	78	75	-3	-3.8
Public Works and Government Services Canada	12 858	13 203	345	2.7
RCMP External Review Committee	5	5	0	0.0
Registrar of the Supreme Court of Canada	194	206	12	6.2
Registry of the Competition Tribunal	10	12	2	20.0
Royal Canadian Mounted Police (public service employees)	5 707	6 091	384	6.7
Statistics Canada	5 850	5 781	-69	-1.2
Status of Women Canada	89	86	-3	-3.4
Transport Canada	5 229	5 393	164	3.1
Transportation Appeal Tribunal of Canada	9	7	-2	-22.2
Transportation Safety Board of Canada	208	220	12	5.8
Treasury Board of Canada Secretariat	1 099	1 220	121	11.0
Veterans Affairs Canada	4 105	4 112	7	0.2

**Table 40 – Public Service Employment Act population changes
by organization (cont'd)**

March 2008 to March 2009

Organization	Indeterminate, specified term, casual and student population			
	March 2008	March 2009	Difference	Year-over-year % change
	No.	No.		
Western Economic Diversification Canada	414	432	18	4.3
TOTAL	199 875	208 947	9 072	4.5

Note: The difference between the number of organizations identified in this table (78) and the number of organizations with ADAs (82) is related to organizations that do not show as separate entities in the PWGSC pay system, which means that for these organizations the PSC cannot show population and/or hiring and staffing activities (Public Appointments Commission Secretariat, Registry of the Specific Claims Tribunal and Veterans Review and Appeal Board).

*Most of the decrease in the number of employees for Justice Canada is explained by the creation of Public Prosecution Service of Canada (PPD) in December 2006. As of April 2008, PPD was reported as a separate entity in the PWGSC pay system. In March 2009, PPD reported a population of 783 employees. Justice Canada experienced a growth of 258 employees or a 5.0% change over last year.

The population counts are taken from the Office of the Chief Human Resources Officer's incumbent file which is an extract from the PWGSC pay system and may vary from counts maintained in organizational human resource systems.

Table 41 – Priority administration (public service total)

*Number of priority entitlements registered and number of placements and other removals, by priority type
April 1, 2008 to March 31, 2009*

Priority type	Carry-over (a)	New cases	Total (carry-over + new cases)	Appointed	Resigned and/or retired	Expired	Other removal (b)	Total outflows	Active at end of period
Leave of absence (sec. 41)	309	266	575	146	23	34	33	236	339
Layoff (sec. 41)	4	15	19	2	0	3	0	5	14
TOTAL – Statutory priorities	313	281	594	148	23	37	33	241	353
Surplus (sec. 5)	165	107	272	102	24	0	49	175	97
Disabled employee (sec. 7)	46	71	117	19	1	17	12	49	68
Medically released CF/RCMP (sec. 8)	233	259	492	205	2	44	0	251	241
Relocation of spouse (sec. 9)	348	425	773	206	13	32	137	388	385
Reinstatement to higher level (sec. 10)	117	105	222	31	3	111	1	146	76
Governor General's exempt staff (sec. 6)	1	0	1	0	0	1	0	1	0
TOTAL – Regulatory priorities	910	967	1 877	563	43	205	199	1 010	867
GRAND TOTAL	1 223	1 248	2 471	711	66	242	232	1 251	1 220

(a) The number of carry-over from March 31, 2008, differs from the number of active cases at March 31, 2008, published in last year's Annual Report due to priority registrations received late in March 2008 and activated after the start of the new fiscal year.

The validation of data to the Priority Information Management System may also be a factor.

(b) Priority type changes are included in "Other Removal."

Notes: See "Priority data" under the heading "Definitions and Notes."

Table 42 – Number and distribution of applicants to the Post-secondary Recruitment campaign (fall 2008) by home province or territory

April 1, 2008, to March 31, 2009

Home province/territory	Number	Percent (%)
British Columbia	1 944	7.3%
Alberta	844	3.2%
Saskatchewan	228	0.9%
Manitoba	510	1.9%
Ontario	12 692	47.9%
Quebec	8 582	32.4%
New Brunswick	405	1.5%
Nova Scotia	646	2.4%
Prince Edward Island	179	0.7%
Newfoundland and Labrador	230	0.9%
Yukon	14	0.1%
Northwest Territories	14	0.1%
Nunavut	5	0.0%
Outside Canada	199	0.8%
TOTAL	26 492	100.0%

Source: Public Service Resourcing System as of March 31, 2009

Table 43 – Geographic and educational profile of Federal Student Work Experience Program applicants

April 1, 2008, to March 31, 2009

Geographical area	2008-2009			
	Applicants	Highest level of education		
		Secondary	College	University
British Columbia	4 526	306	682	3 538
Alberta	2 694	268	704	1 722
Saskatchewan	1 364	80	103	1 181
Manitoba	2 342	214	201	1 927
Ontario (except NCR)	15 449	1 213	1 980	12 256
National Capital Region (NCR)	18 427	1 164	3 097	14 166
Quebec (except NCR)	11 401	625	2 593	8 183
New Brunswick	2 367	221	228	1 918
Nova Scotia	2 298	260	220	1 818
Prince Edward Island	1 101	180	100	821
Newfoundland and Labrador	978	106	133	739
Yukon	38	5	12	21
Northwest Territories	61	9	28	24
Nunavut	5	1	1	3
Outside Canada	49	0	4	45
TOTAL	63 100	4 652	10 086	48 362

Source: Public Service Resourcing System as of March 31, 2009

Table 44 – Percent distribution of applicants to external advertisements and Canadian population

April 1, 2008, to March 31, 2009

Province/Territory	2008-2009	Population of Canada
	Applicant residence	
British Columbia	10.3%	13.0%
Alberta	6.4%	10.4%
Saskatchewan	2.2%	3.1%
Manitoba	3.8%	3.6%
Ontario	41.9%	38.5%
Quebec	22.8%	23.9%
New Brunswick	3.3%	2.3%
Nova Scotia	5.7%	2.9%
Prince Edward Island	1.1%	0.4%
Newfoundland and Labrador	2.0%	1.6%
Yukon	0.1%	0.1%
Northwest Territories	0.2%	0.1%
Nunavut	0.1%	0.1%
TOTAL	100.0%	100.0%

Source: Public Service Resourcing System as of March 31, 2009, and 2006 Census

Appendix 8

Glossary

Aboriginal peoples (Autochtones) – As defined in the *Employment Equity Act*, persons who are Indians, Inuit or Métis.

Abuse of authority (Abus de pouvoir) – Improper conduct that includes bad faith and personal favouritism.

Accelerated Economist Training Program (AETP) (Programme de formation accélérée pour les économistes – PFAE) – A program under the Post-Secondary Recruitment umbrella administered by the Treasury Board of Canada Secretariat (Office of the Chief Human Resources Officer) that recruits and develops recent university graduates in a variety of disciplines but with a background in economics.

Access (Accessibilité) – One of the guiding values of the *Public Service Employment Act* requiring that persons from across the country have a reasonable opportunity, in their official language of choice, to apply and to be considered for public service employment.

Acting appointment (Nomination intérimaire) – The temporary performance of the duties of another position by an employee, if the performance of those duties would have constituted a promotion had the employee been appointed to the position.

Active monitoring (Surveillance active) – An ongoing process of gathering and analyzing information to assess staffing performance and provide an early indication of whether adjustments to staffing approaches are required.

Advertised appointment process (Processus de nomination annoncé) – When persons in the area of selection are informed of and can apply to an appointment opportunity.

Appeal (Appel) – Under section 21 of the previous *Public Service Employment Act* (PSEA), the recourse process for an individual not selected for an appointment in an internal (closed) competition or without a competition process. As of March 31, 2009, there were no outstanding appeals under the previous PSEA.

Appointment (Nomination) – An action taken under the *Public Service Employment Act* to hire or promote someone.

Appointment Delegation and Accountability Instrument (ADAI) (Instrument de délégation et de responsabilisation en matière de nomination – IDRN) – The formal document by which the Public Service Commission delegates its appointment and appointment-related authorities to deputy heads. It identifies authorities, any conditions related to the delegation and sub-delegation of these authorities and how deputy heads will be held accountable for the exercise of their delegated authorities.

Appointment Framework (Cadre de nomination) – Sets out expectations for deputy heads when designing their staffing systems to ensure that they respect legislative requirements and values guiding staffing in the public service. The framework has three components: appointment policy, delegation and accountability.

Appointment Framework Knowledge Test (AFKT) (Examen de connaissances sur le Cadre de nomination – ECCN) – A test developed by the Public Service Commission (PSC) to assess human resources (HR) specialists' knowledge of the PSC Appointment Framework and the related legislation. A condition of delegation is that deputy heads ensure that those to whom authority is sub-delegated have access to HR specialists whose knowledge of the Appointment Framework has been validated by the PSC.

Appointment policy (Lignes directrices en matière de nomination) – Under the *Public Service Employment Act*, the Public Service Commission (PSC) can establish policies on making and revoking appointments and taking corrective action. The PSC has a number of policies on specific subjects that correspond to key decision points in appointment processes and should be read in conjunction with the *Public Service Employment Regulations*.

Area of selection (Zone de sélection) – The geographic, occupational, organizational and/or employment equity criteria that applicants must meet in order to be eligible for appointment that provides reasonable access to internal and external appointments and a reasonable area of recourse for internal non-advertised appointments. A national area of selection is prescribed by the Public Service Commission for all full-time term positions of six months or more and all indeterminate jobs that are advertised external appointment processes.

Assessment methods (Méthodes d'évaluation) – Methods such as interviews, written tests, reference checks and simulations designed to assess candidates against the qualifications for the position.

Assessment requirements (Critères d'évaluation) – The Public Service Commission *Assessment Policy* sets out specific requirements to ensure that assessment processes and methods result in the identification of the person(s) who meet(s) the qualifications and other merit criteria used in making the appointment decision and provides a sound basis for making appointments according to merit.

Asset qualifications (Qualifications constituant un atout) – Qualifications that are not essential to perform the work, but that would benefit the organization or enhance the work to be performed. Asset qualifications may include experience, education, knowledge, skills, personal suitability or any other qualification, with the exception of official language requirements.

Assignment (Affectation) – The temporary movement of an employee at level within an organization to perform a set of duties or functions of another existing position or to take on a special project. An assignment cannot be a promotion or be used to extend an employment period.

Audit (Vérification) – An objective and systematic examination of activities that provide an independent assessment of the performance and management of those activities.

Barrier (Obstacle) – Physical obstacles, policies, practices or procedures that restrict or exclude persons in designated groups or those protected by the *Canadian Human Rights Act* from employment-related opportunities in the federal public service. Barriers include attitudes and behaviours that may exclude certain persons or groups of persons from full participation in an appointment process, in particular, and the workplace, in general.

Casual employment (Emploi occasionnel) – A short-term employment option to hire someone. Under the *Public Service Employment Act* (PSEA), a casual worker cannot work more than 90 working days in one calendar year in a given organization, with the exception of the Office of the Chief Electoral Officer, where, in certain circumstances, the maximum period is 165 working days in one calendar year. The provisions of the PSEA, such as the merit requirement, do not apply to casual workers.

Classification (Classification) – The occupational group, sub-group (if applicable) and level assigned to a position.

Collective staffing process (Processus de dotation collective) – An approach that allows for one appointment process to fill several similar positions within or between departments and agencies.

Co-operative Education/Internship Program (CO-OP) (Programme de stages d'enseignement coopératif et d'internat – Coop) – A program designed to provide post-secondary students with relevant and practical work experience in the public service to help them fulfill the requirements of their academic program.

Corrective action (Mesures correctives) – A process aimed at correcting an error, omission or improper conduct that affected the selection of a person appointed in an appointment process, or to address situations in which an employee has engaged in an inappropriate political activity.

Cost recovery (Recouvrement des coûts) – Setting user fees to cover some or all of the costs incurred in providing a product or service, rather than funding the product or service.

Departmental Staffing Accountability Report (DSAR) (Rapport ministériel sur l'obligation de rendre compte en dotation – RMORCD) – A periodic report that organizations provide to the Public Service Commission on the management and results of their staffing operations. The DSAR asks questions based on the Staffing Management Accountability Framework and the guiding values.

Deployment (Mutation) – The movement of a person from one position to another in accordance with Part 3 of the *Public Service Employment Act*. A deployment cannot be a promotion and cannot change the tenure of employment from specified term to indeterminate. A person who is deployed is no longer the incumbent of their previous position.

Designated groups (Groupes désignés) – As defined in the *Employment Equity Act*, women, Aboriginal peoples, persons with disabilities and members of visible minorities. Often referred to as employment equity designated groups.

Employee (Fonctionnaire) – A person employed in the part of the public service to which the Public Service Commission has the exclusive authority to make appointments.

Employment equity program (Programme d'équité en matière d'emploi) – Positive policies, practices or elements of an employment equity plan designed to address identified disadvantages and under-representation of one or more designated groups.

Essential qualifications (Qualifications essentielles) – Qualifications that are necessary for the work to be performed and that must be met in order for a person to be appointed. These include education, experience, occupational certification, knowledge, abilities and skills, aptitudes, personal suitability and official language proficiency.

E-staffing (Dotation électronique) – The use of technology to support managers conducting staffing processes, such as by electronically screening large numbers of applications.

Exclusion Approval Order (EAO) (Décret d'exclusion) – Allows for the exclusion of person(s) or position(s) from the application of some or all of the *Public Service Employment Act*, where the Public Service Commission (PSC) decides that it is neither practicable nor in the best interests of the public service to apply the Act or any of its provisions. An EAO may be specific or general in nature and requires the approval of the Governor in Council. An EAO is generally accompanied by Governor in Council regulations, made on the recommendation of the PSC, prescribing how to deal with the positions or persons excluded under the EAO.

Executive Group (Groupe de la direction) – An occupational group providing leadership to the public service. It consists of five levels (EX-1 to EX-5).

EX-equivalent levels (Niveaux équivalents EX) – Commonly called "EX equivalents," these levels correspond to at least the entry level of the Executive Group.

External appointment process (Processus de nomination externe) – A process in which persons may be considered, whether or not they are employed in the public service.

Fairness (Justice) – One of the guiding values of the *Public Service Employment Act*, requiring that decisions be made objectively and free from political influence or personal favouritism, that policies and practices reflect the just treatment of persons and that persons have the right to be assessed in their official language of choice.

Federal Student Work Experience Program (FSWEP) (Programme fédéral d'expérience de travail étudiant – PFETE) – A program through which federal organizations recruit students. FSWEP provides full-time secondary or post-secondary students in an accredited institution with employment opportunities to learn about the federal government and gain valuable experience while developing and improving their employability skills.

Fiscal year (Exercice financier) – April 1 to March 31, for the federal public service.

- Functional community** (Collectivité fonctionnelle) – A specific career grouping (e.g. Finance, Communications, Policy and Comptrollership), for which a collaboration across departments and agencies has been formed to address the community's collective human resources needs.
- Human resources planning** (Planification des ressources humaines) – A process that identifies an organization's current and future human resources needs and the objectives and strategies planned to meet these needs.
- Imperative appointment** (Nomination impérative) – An indeterminate appointment to a bilingual position that the deputy head has identified as requiring a person who meets the required level of language proficiency at the time of appointment.
- In-basket exercise** (Exercice de la corbeille) – An assessment technique that simulates the important aspects of a management position. The candidate must respond to managerial issues and problems that are presented in the form of documents such as e-mails from superiors, peers and subordinates; organizational reports; letters from stakeholders and messages and other correspondence that have accumulated in the manager's "in-basket."
- Indeterminate (permanent) employment** (Emploi pour une période indéterminée – emploi permanent) – Employment of no fixed duration, whether part-time, full-time or seasonal.
- Indicator** (Indicateur) – One of the elements of the Staffing Management Accountability Framework, indicators are used to measure various characteristics of the staffing system to assess the extent to which an expected result is achieved and that is used to predict the health of the federal public service appointment system.
- Informal discussion** (Discussion informelle) – The opportunity for a person eliminated from consideration in an internal appointment process to discuss the decision informally before an appointment is made.
- Infotel** (Infotel) – A toll-free telephone service provided by the Public Service Commission that allows Canadians to hear the employment opportunities open to the public advertised at www.jobs.gc.ca.
- Internal appointment process** (Processus de nomination interne) – A process for making one or more appointments for which only individuals employed in the public service may be considered.
- Inventory** (Répertoire) – A listing of applicants in selection processes that could be used to staff identical or similar positions in one or more organizations. Managers can search the inventory to find applicants that meet the essential and asset criteria.
- Investigation** (Enquête) – An inquiry into an alleged violation of the *Public Service Employment Act* or the *Public Service Employment Regulations*.
- Key Leadership Competencies** (Compétences clés en leadership) – Seven competencies, containing specific effective behaviours for each level of the key leadership competencies profile. The competencies are Values and Ethics, Strategic Thinking, Analysis and Ideas, Engagement, and Action Management, People Management, Financial Management (the last three contributing to Management Excellence).

Key success factors (Indicateurs clés de réussite) – Infrastructure, processes, practices and actions, as articulated under the Staffing Management Accountability Framework's Key Change Areas that are necessary for the achievement of positive staffing performance.

Language requirements of the position (Exigences linguistiques du poste) – The designation of a public service position, by the deputy head, as bilingual or unilingual according to the following categories: bilingual, English essential, French essential or either English or French essential.

Layoff (Mise en disponibilité) – The involuntary termination of an employee's services because of a lack of work, the discontinuance of a function or the transfer of work or a function outside the public service.

Linguistic profile (Profil linguistique) – The language requirements of a bilingual position and the proficiency level required in the second official language for reading, writing and oral interaction.

Management Trainee Program (MTP) (Programme de stagiaires en gestion – PSG) – A program that recruits and develops recent graduate students at the Masters level, in a variety of disciplines who have the potential to excel as future leaders in the federal public service. The program offers a combination of challenging work assignments and formal learning components.

Merit (Mérite) – One of the core values of the *Public Service Employment Act*. An appointment is made on the basis of merit when a person to be appointed meets the essential qualifications for work to be performed, as established by the deputy head, including official language proficiency. The sub-delegated manager may also take into account any current or future asset qualifications, operational requirements and organizational needs.

Merit criteria (Critères de mérite) – Essential qualifications as well as other merit criteria. Essential qualifications are those necessary for the work to be performed; they must be met in order for a person to be appointed. Other merit criteria can include any additional current or future asset qualifications, operational requirements or organizational needs, as established by the deputy head. The sub-delegated manager decides whether to apply the other criteria when making an appointment.

Non-advertised appointment process (Processus de nomination non annoncé) – An appointment process that does not meet the criteria for an advertised appointment process.

Non-imperative appointment (Nomination non impérative) – An indeterminate appointment to a bilingual position that the deputy head has identified as not requiring a person who meets the required level of language proficiency at the time of appointment. Individuals appointed as a result of a non-imperative appointment either meet the language requirements at the time of appointment, agree to attain the required level of language proficiency within two years of the date of appointment or are exempted from meeting the language requirements of the position on medical grounds or as a result of their eligibility for an immediate annuity within two years of appointment.

Non-partisanship (Impartialité politique) – One of the core values of the *Public Service Employment Act*, ensuring that appointments and promotions to and within the public service are made free from political influence and supporting the capacity and willingness of employees to serve governments, regardless of political affiliation. See also Political activity.

Notification (Notification) – The two-step requirement to provide, in writing, the name of the person being considered for appointment, known as Notification of Consideration, and the name of the person being proposed or appointed, known as the Proposal of Appointment or Notification of Appointment, to all persons in the area of selection who participated in an advertised internal appointment process and to all persons in the area of selection for a non-advertised internal process.

Occupational group (Groupe professionnel) – A grouping used for classification, comprising similar kinds of work requiring similar skills.

Officer-level jobs (Postes de niveau d'agent) – Includes jobs involved in scientific, professional, administration and technical functions. Examples include biologists, commerce officers and statisticians.

Operational requirements (Exigences opérationnelles) – Current or future requirements to ensure that the work to be performed can be completed. For operations that run 24 hours a day, shift work might be an example of an operational requirement.

Oral Interaction Test (Test d'interaction orale) – A test to assess a candidate's ability to speak and understand their second official language in a work context. The test takes the form of an interview with an assessor about work-related matters and lasts about 30 minutes.

Organizational needs (Besoins organisationnels) – Current or future needs that are not essential to perform the work but that could enhance the way in which the organization operates or fulfills its mandate. Organizational needs could include the consideration of employment equity designated group members.

Organizations (Organisations) – In this report, the term "organizations" refers to federal government departments and agencies subject to all or part of the *Public Service Employment Act*.

Personal favouritism (Favoritisme personnel) – Involves an inappropriate action or behaviour by a public servant who, by using knowledge, authority or influence, provides an unfair advantage or preferential treatment to a current employee or to a candidate for employment in the public service.

Persons with disabilities (Personnes handicapées) – As defined by the *Employment Equity Act*, persons who have a long-term or recurring physical, mental, sensory, psychiatric or learning impairment and who consider themselves to be disadvantaged in employment by reason of that impairment, or who believe that an employer or potential employer is likely to consider them to be disadvantaged in employment by reason of that impairment. The definition includes persons whose functional limitations resulting from their impairment have been accommodated in their current job or workplace.

Political activity (Activité politique) – As defined by Part 7 of the *Public Service Employment Act*, political activity includes carrying on any activity in support of, within or in opposition to a political party; carrying on any activity in support of or in opposition to a candidate before or during an election period; or seeking nomination as or being a candidate in a federal, provincial, territorial or municipal election before or during the election period.

Political influence (Influence politique) – Interference in the appointment process. It could include, but is not limited to, interference by the office of a minister or a Member of Parliament.

Post-Secondary Recruitment (PSR) (Programme de recrutement postsecondaire – RP) – A program managed by the Public Service Commission that supports organizations wanting to recruit post-secondary graduates from across the country into entry-level positions. The program has two components: a general inventory and a targeted approach through which organizations can advertise specific job opportunities or career choices.

Priority entitlement (Droit de priorité de nomination) – The right to be appointed to positions ahead of all other persons. There are three types of statutory priorities under the *Public Service Employment Act* (surplus employees appointed within their own organization, leave of absence and layoff, in that order) and six regulatory priorities under the *Public Service Employment Regulations* (surplus employees appointed outside their own organization, Governor General's exempt staff, employees who become disabled, members of the Canadian Forces and the Royal Canadian Mounted Police who are released for medical reasons, relocation of spouse or common-law partner and reinstatement, in no particular order).

Priority data (Données sur les priorités) – Data on priority entitlements obtained from the Public Service Commission (PSC) Priority Information Management System (PIMS). PIMS is the operational inventory that the PSC uses to refer employees with statutory and regulatory priority entitlements to suitable positions within departments or agencies. The inventory is comprised of employees identified by organizations as surplus, as well as other individuals entitled to statutory and regulatory priority entitlements.

Priority Information Management System (PIMS) (Système de gestion de l'information sur les priorités – SGIP) – The Public Service Commission's Web-based tool that helps to ensure that entitlements to a priority in appointment are observed, as mandated by the *Public Service Employment Act* and *Public Service Employment Regulations*.

Priority person (Bénéficiaire de priorité) – A person who has an entitlement under the *Public Service Employment Act* or the *Public Service Employment Regulations*, for a limited period, to be appointed ahead of all others to vacant positions in the public service. To be appointed, the person must meet the essential qualifications of the position.

Public service (Fonction publique) – As defined by the *Public Service Employment Act*, the departments named in Schedule I to the *Financial Administration Act*, the organizations named in Schedule IV to that Act and the separate agencies named in Schedule V to that Act.

Public Service Official Languages Exclusion Approval Order (PSOLEAO) (Décret d'exemption concernant les langues officielles dans la fonction publique – DELOFP) – Provides for certain circumstances in which a person is excluded temporarily or permanently from meeting the official languages proficiency requirements of a bilingual position.

Public Service Resourcing System (PSRS) (Système de ressourcement de la fonction publique – SRFP) – An electronic tool that screens applicants in minutes, based on responses to a customized on-line application form that includes an on-line questionnaire.

Public Service Staffing Modernization Project (PSSMP) (Projet de modernisation de la dotation de la fonction publique – PMDFP) – PSSMP is a multi-year project to modernize staffing across the Government of Canada. It will put in place a flexible environment that addresses differing organizational needs, provides common staffing tools and support and supports accountability, oversight and the values of fairness, transparency, representativeness and access.

Recruitment (Recrutement) – Hiring from outside the public service.

Recruitment of Policy Leaders Program (RPL) (Programme de recrutement de leaders en politiques – RLP) – Targets and recruits Canadian graduate students from universities within Canada and abroad who have achieved academic excellence, acquired policy-relevant experience and demonstrated leadership skills through their work, volunteer activities or academics.

Representativeness (Représentativité) – One of the guiding values of the *Public Service Employment Act*, requiring that appointment processes be conducted without bias and without creating systemic barriers in order to help achieve a public service that reflects the Canadian population that it serves.

Research Affiliate Program (RAP) (Programme des adjoints de recherche – PAR) – A program that recruits, throughout the year, post-secondary students who require experience in applied research.

Resourcing (Ressourcement) – External and internal appointment activities.

Second language evaluation (SLE) (Évaluation de langue seconde – ELS) – Language tests administered by the Public Service Commission to determine the second official language proficiency of employees and applicants. Includes reading, writing and oral interaction tests that assess the applicants' ability to read, write and speak and understand their second official language in a work context.

Simulations for the Selection of Executives (SELEX) (Simulations pour la sélection des EX – SELEX) – A Public Service Commission assessment instrument that evaluates the Key Leadership Competencies. It is used in selection processes for entry-level executive positions in the federal public service.

SmartShops (Ateliers futés) – Information sessions led by the Public Service Commission (PSC) to assist human resources professionals and managers in gaining a deeper understanding and practical knowledge of the flexibilities of the *Public Service Employment Act* and the PSC Appointment Framework. Through structured presentations, practical exercises and group discussions, participants share best practices and familiarize themselves with the issues surrounding various topics.

Specified term employment (Emploi pour une durée déterminée) – Part time or full-time employment of a fixed duration.

Staffing Management Accountability Framework (SMAF) (Cadre de responsabilisation en gestion de la dotation – CRGD) – The SMAF sets out Public Service Commission (PSC) expectations for a well-managed appointment system and the reporting requirements of deputy heads to the PSC. It serves as the basis for measuring key success factors and the achievement of results and staffing values.

Student bridging (Intégration des étudiants) – A mechanism that allows managers to hire qualified recent post-secondary graduates who have previously worked in the public service through approved student employment programs, such as the Federal Student Work Experience Program, the Co-operative Education and Internship Program or the Research Affiliate Program, in accordance with organizational criteria or policies.

Sub-delegated manager (Gestionnaire subdélégué) – A person to whom a deputy head has sub-delegated, in writing, the authority to exercise specific appointment and appointment-related authorities that have been delegated to the deputy head by the Public Service Commission.

Surplus employee (Fonctionnaire excédentaire) – An indeterminate employee whose position has been formally declared surplus in writing by their deputy head owing to: a lack of work, a discontinuance of a function, a relocation for which the employee does not wish to move, or the transfer of work or a function outside the public service.

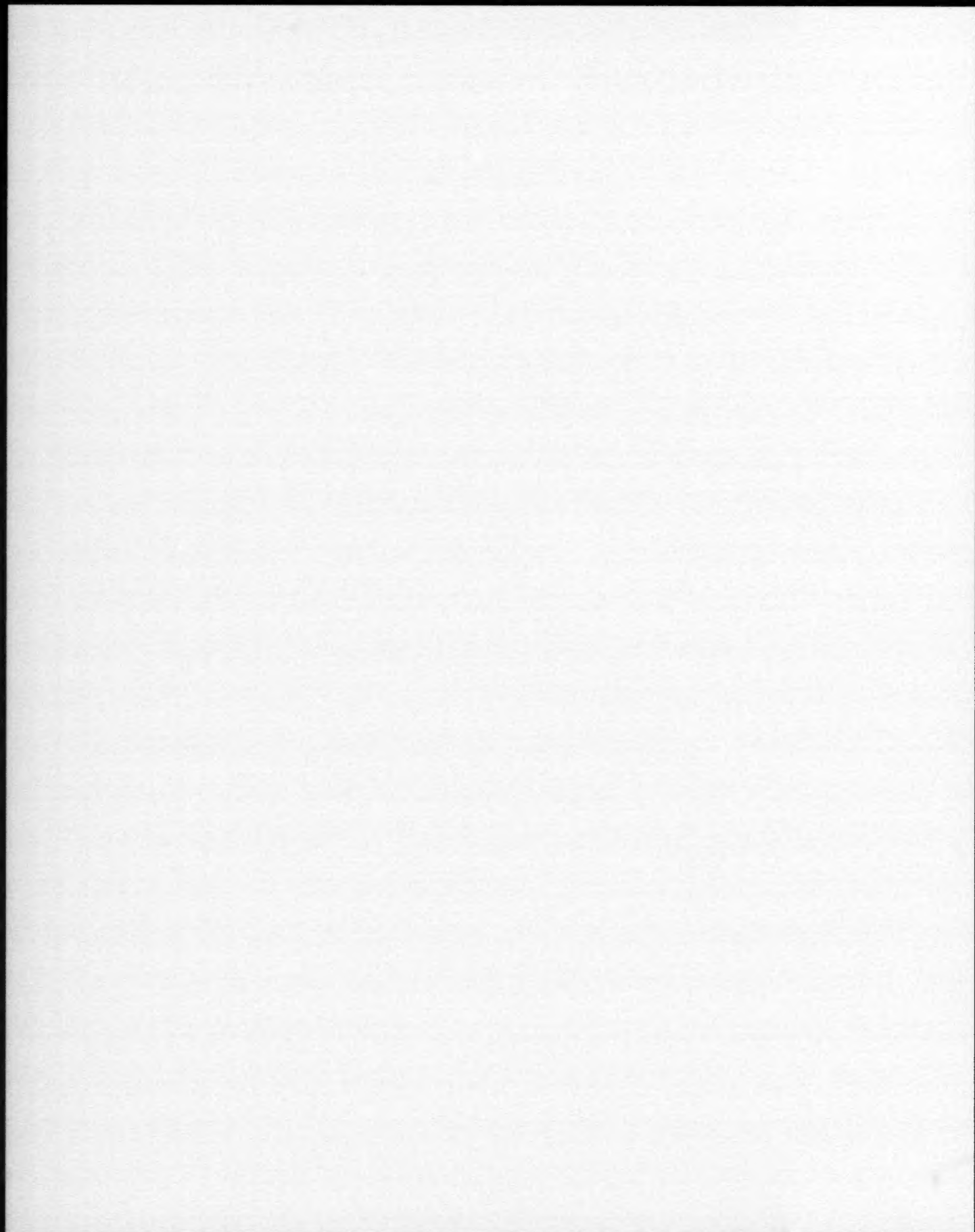
Tenure (Durée d'emploi) – The period of time for which a person is employed.

Transparency (Transparence) – One of the guiding values of the *Public Service Employment Act*, requiring that information about strategies, decisions, policies and practices be communicated in an open and timely manner.

Visible minorities (Membres des minorités visibles) – As defined in the *Employment Equity Act*, persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour.

Women (Femmes) – An employment equity designated group under the *Employment Equity Act*.

Workforce availability (Disponibilité au sein de la population active) – Relates to the distribution of people in the designated groups as a percentage of the total Canadian workforce. For the purposes of the federal public service, workforce availability is based only on those occupations in the Canadian workforce that correspond to the occupational groups in the public service. The estimates used for the designated groups are based on the 2006 Census data.



Biographies





Maria Barrados, President

Ms. Maria Barrados was confirmed as President of the Public Service Commission of Canada effective May 21, 2004. She had served as interim President since November 2003. From December 1993 to that date, she was Assistant Auditor General, Audit Operations, at the Office of the Auditor General of Canada.

Educated as a sociologist, Ms. Barrados has a wealth of knowledge of and a solid background in audit, evaluation and statistical analysis. In 1975, she began her career as a Lecturer and later as a Research Project Supervisor at Carleton University. In March 1985, she joined the Office of the Auditor General, where she held positions of increasing responsibility in the Audit Operations Branch. She chaired executive committees on value-for-money and professional practices, representing the Office of the Auditor General at parliamentary hearings and at meetings with ministers and senior officials. She was responsible for many financial and value-for-money audits, including audit work related to results measurement, accountability, human resources management and public service renewal.

Ms. Barrados is a member and former Chair of the Canadian Council on Health Services Accreditation. She has been a member of the Board of Trustees of the Ottawa Grace Manor and the Ottawa Hospital. She is also on the nominating committee of the Community Foundation of Ottawa.

Ms. Barrados obtained a B.A. with high honours in Sociology from the University of Saskatchewan in 1966. She also has an M.A. in Sociology from McGill University (1970) and a Ph.D. in Sociology from Carleton University (1978).

She is a recipient of the Confederation Medal (1992).

Ms. Barrados is married and has one daughter. She was born in the Netherlands, is a Canadian citizen and lives in Ottawa.



Manon Vennat, Commissioner

Effective June 10, 2004, Ms. Manon Vennat was confirmed as a part-time Commissioner of the Public Service Commission of Canada. She will hold office for a term of seven years.

Ms. Vennat, a lawyer by profession, was until September 30, 2004, Chairperson of Spencer Stuart (Montréal), an international executive search firm. She has since established her own consulting firm, Manon Vennat and Associates.

She joined the Company of Young Canadians in 1966 as Director of Legal Affairs and Executive Assistant to the Director General. Prior to founding *Le Centre de linguistique de l'entreprise de Montréal*, where she was Executive Director until 1980, she held various positions with the Government of Canada. Ms. Vennat has represented the private sector in government legal and regulatory dossiers in Québec and Ottawa and taken part in a number of federal government task forces and advisory groups.

She is currently Chairperson of the Board of Directors of the McCord Museum of Canadian History and is an emeritus governor of McGill University. She is a former member of Board of the Public Policy Forum, where she was honoured in 2001 for her contribution to public sector management and public policy in Canada.

Prior to her joining Spencer Stuart in 1986, Ms. Vennat was Vice-President, Administration, General Counsel and Secretary to the Board of Directors at AES Data. Ms. Vennat holds a Ph.D. (honoris causa) from the University of Ottawa. She is a member of the Quebec Bar and a member of the Order of Canada.



David Zussman, Commissioner

On June 10, 2004, Mr. David Zussman was confirmed as a part-time Commissioner of the Public Service Commission of Canada to hold office for a term of seven years.

Mr. Zussman has had a varied career in government, the private sector and in academia and is a recognized authority on public sector management, public administration and public policy. He has been closely involved in some of the most exciting developments in Canada in public sector governance and alternative service delivery over the past 15 years.

In August 2005, Mr. Zussman joined the University of Ottawa as the first recipient of the Stephen Jarislowsky Chair for Public Sector Management. In this capacity, he focuses on research, teaching and public programs in public management, governance and accountability.

Mr. Zussman has served in a number of positions at the University of Ottawa, including Assistant and Associate Dean of Graduate Programs (School of Management) and Dean of the School of Management from 1988 to 1992. During that time he was a Professor of Public Policy and Management and taught in the Executive MBA Program until 2004. He is also an adjunct professor at the University of Canberra (Australia).

From 2003 to 2005, Mr. Zussman was Executive Vice-President and Chief Operating Officer at EKOS Research Associates Inc.

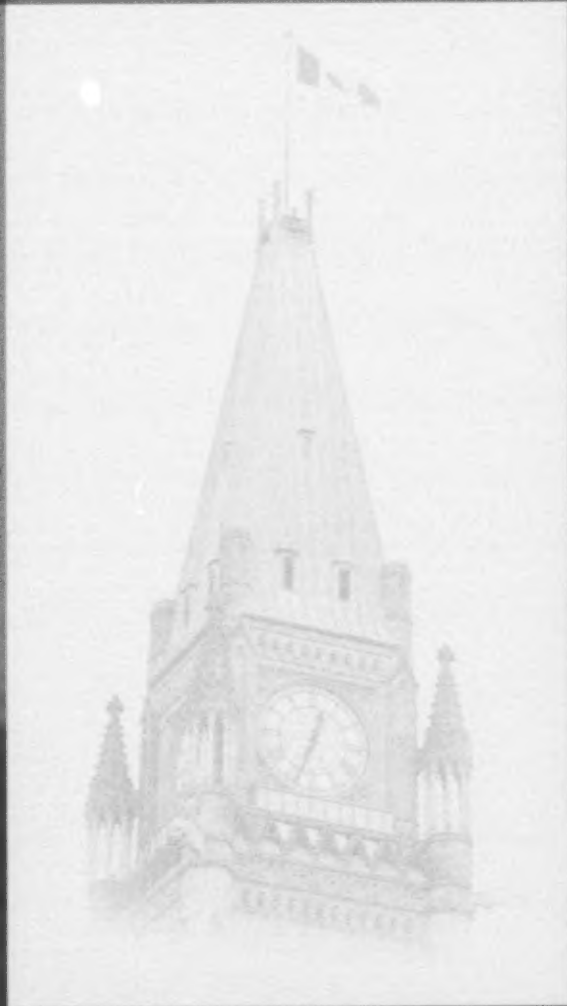
In 1995, Mr. Zussman joined the Public Policy Forum, an organization committed to bridging the gap between government, business, labour and the voluntary sector. He was appointed President in 1996, and remained in that position until 2003.

In 1994, he was appointed Assistant Secretary to the Cabinet for Program Review and Machinery of Government, to help the government implement its commitment to a fundamental review of federal spending. In 1993, Mr. Zussman was responsible for the transition of the newly elected government.

Mr. Zussman has published articles and books on public management and policy making in Canada, and is the author and co-author of many publications, including *Alternate Service Delivery: Sharing Governance in Canada* and *The Vertical Solitude: Managing in the Public Service*. He writes a monthly public policy column for the *Ottawa Citizen*.

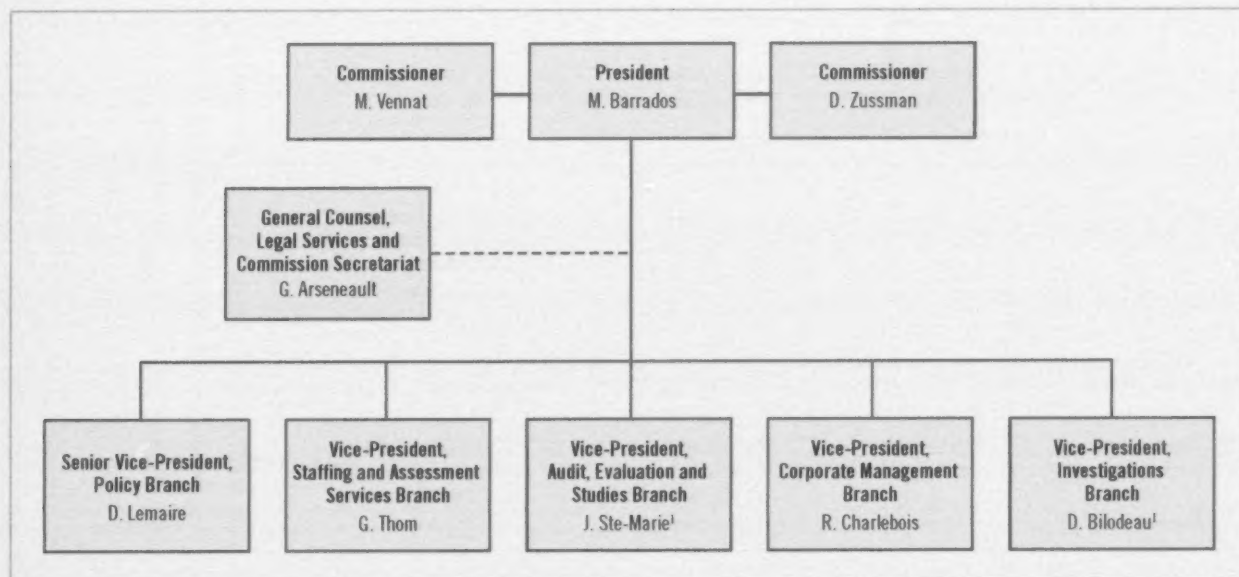
He sits on numerous public and private sector advisory boards and boards of directors. In 2003, he was awarded the Public Service Citation Award by the Association of Professional Executives of the Public Service of Canada (APEX).

Public Service
Commission
organization chart



Public Service Commission organization chart

As of March 31, 2009



¹ Acting

Note: On April 1, 2009, the Legal Services and Commission Secretariat merged with the Investigations Branch to create the Legal Affairs Branch, headed by Vice-President G. Arseneault.

Offices of the
Public Service
Commission



Offices of the Public Service Commission

All PSC offices provide services in both official languages.

Internet

PSC Corporate Web site: www.psc-cfp.gc.ca

PSC Recruitment site: jobs.gc.ca

E-mail: infocom@psc-cfp.gc.ca

Headquarters

L'Esplanade Laurier, West Tower
300 Laurier Avenue West
Ottawa, Ontario K1A 0M7
Information: 613-992-9562
Facsimile: 613-992-9352

Regional Offices

Halifax

1505 Barrington Street
Maritime Centre
17th Floor, Room 1729
Halifax, Nova Scotia B3J 3Y6
Information: 1-877-998-7979
Facsimile: 902-426-7277
Toll free: 1-888-457-5333
InfoTel: 1-800-645-5605
TTY: 1-800-532-9397
E-mail: Halifax@psc-cfp.gc.ca

Montréal

Guy-Favreau Complex
200 René-Lévesque
Boulevard West
East Tower, 8th Floor
Montréal, Quebec H2Z 1X4
Information: 1-800-645-5605
Facsimile: 514-496-2404
InfoTel: 1-800-645-5605
TTY: 1-800-645-5605
E-mail: Montreal@psc-cfp.gc.ca

National Client

Services Directorate (includes National Capital and Eastern Ontario)

66 Slater Street, 4th Floor
Ottawa, Ontario K1A 0M7
Information: 1-800-645-5605
Facsimile: 613-996-8048
TTY: 613-996-1205
Toll free: 1-800-532-9397
E-mail: Ottawa@psc-cfp.gc.ca

Toronto

1 Front Street West, 6th Floor
Toronto, Ontario M5J 2X5
Information: 416-973-3131
TTY: 416-973-2269
Facsimile: 416-973-1883
InfoTel: 1-800-645-5605
TTY: 1-800-532-9397
Information: 1-800-387-0776
E-mail: Toronto@psc-cfp.gc.ca

Winnipeg

320 Donald Street, 1st Floor
Winnipeg, Manitoba R3B 2H3
Information: 204-983-2486
Facsimile: 204-983-8188
InfoTel: 1-800-645-5605
TTY: 1-800-532-9397
E-mail: Winnipeg@psc-cfp.gc.ca

Edmonton

9700 Jasper Avenue, Room 830
Edmonton, Alberta T5J 4G3
Information: 780-495-6134
Facsimile: 780-495-3145
InfoTel: 1-800-645-5605
TTY: 1-800-532-9397
E-mail: Edmonton@psc-cfp.gc.ca

Vancouver

757 West Hastings Street, Suite 210
Vancouver, British Columbia
V6C 3M2
Information: 1-800-645-5605
Facsimile: 604-666-6808
InfoTel: 1-800-645-5605
TTY: 1-800-532-9397
E-mail: Vancouver@psc-cfp.gc.ca